

In The Matter Of:
United States vs.
PFC Bradley E. Manning

Vol. 2
June 4, 2013
UNOFFICIAL DRAFT - 6/4/13 Afternoon Session

Provided by Freedom of the Press Foundation

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VOLUME II

IN THE UNITED STATES ARMY

UNITED STATES

VS.

MANNING, Bradley E., PFC COURT-MARTIAL

U.S. Army, xxx-xx-9504

Headquarters and Headquarters Company,

U.S. Army Garrison,

Joint Base Myer-Henderson Hall,

Fort Myer, VA 22211

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The Hearing in the above-titled matter was

continued on Tuesday, June 4, 2013, at 1:45 p.m., at

Fort Meade, Maryland, before the Honorable Colonel

Denise Lind, Judge.

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DISCLAIMER

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This unedited, uncertified draft transcript may contain court reporting outlines that are not translated, notes made by the reporter for editing purposes, misspelled terms and names, word combinations that do not make sense, and missing testimony or colloquy due to being inaudible by the reporter.

1 APPEARANCES:

2
3 ON BEHALF OF GOVERNMENT:

4 MAJOR ASHDEN FEIN

5 CAPTAIN JOSEPH MORROW

6 CAPTAIN ANGEL OVERGAARD

7 CAPTAIN HUNTER WHYTE

8
9 ON BEHALF OF ACCUSED:

10 DAVID COOMBS

11 CAPTAIN JOSHUA TOOMAN

12 MAJOR THOMAS HURLEY

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1 PROCEEDINGS,

2 THE COURT: Let the record reflect all
3 parties present when the court last recessed are again
4 present in court.

5 Is the government ready to proceed?

6 THE PROSECUTION: Yes. We call Special
7 Agent David Shaver.

8 You are still under oath.

9 REDIRECT EXAMINATION BY MR. MORROW:

10 Q Special Agent Shaver, I want to talk about
11 your involvement in the case. Can you describe your
12 initial involvement?

13 A Yes, sir. About June 2010 I was notified
14 of a possible compromise or data spillage involving our
15 computers at FOB Hammer, Iraq.

16 Q When you say compromise of information,
17 classified, unclassified?

18 A Classified, sir.

19 Q And at this time you were the Special Agent
20 in charge the FOB forensic branch?

21 A Yes, sir; I was.

1 Q Specifically what was your role in the
2 investigation?

3 A To both supervise the people doing the
4 forensic examinations and to conduct forensic
5 examinations in support of this case.

6 Q When you say forensic examinations, can you
7 just describe generally what you were tasked to examine
8 and what others were tasked to examine?

9 A We were as a unit, we were tasked to
10 examine all the computers involved in this to include
11 the computer of Adrian Lamo and others.

12 Q And PFC Manning?

13 A Yes, sir.

14 Q Let's talk about Mr. Adrian Lamo. Did you
15 examine the computers collected by Mr. Lamo?

16 A Yes, sir; I did.

17 Q And what were those two computers? What
18 were the computers?

19 A There were two of them. A Windows computer
20 and a Linux computer.

21 Q If you would, just discuss your process for

1 examining these computers. Did you -- well, first
2 discuss your process.

3 A Sure. I checked the evidence in the
4 evidence room. I created a forensic image. I then
5 verified that the hash matched. We sign back the
6 evidence in the evidence room and conduct my
7 examination.

8 Q So with respect to Lamo's computers at
9 least, you actually created the image yourself?

10 A Yes, sir, I did.

11 Q And then you said you moved into your work
12 computer?

13 A Yes, sir, I did.

14 Q Why do you do that?

15 A You work off the image, not off the
16 original media. So you want to keep it pristine. You
17 don't want to damage it.

18 Q What were you specifically looking for on
19 Mr. Lamo's computers?

20 A We were, the search that was asked of me to
21 perform was a limited scope. I was supposed to scope

1 for the chat name bradass87 and the name Bradley
2 Manning.

3 Q And why bradass87?

4 A Sir, that was reported to me as the chat
5 name used by PFC Manning.

6 Q And you were only tasked to examine your
7 scope only extend to chat logs?

8 A Anything involving the two names.

9 Q So it could have been, if his name appeared
10 somewhere else, your scope did cover that?

11 A Yes, sir.

12 Q You said there were two computers. One is
13 a Windows computer?

14 A Yes, sir.

15 Q Let's talk about that one first.

16 Did you locate a chat program on this
17 computer?

18 A Yes, sir; I did.

19 Q And did you find chat logs on the computer?

20 A Yes, sir; I did.

21 Q What was the -- did these chat logs include

1 the name bradass87?

2 A Yes, sir; they did.

3 Q Who were the chats between? One side was
4 bradass87 and who was the other side?

5 A Mr. Lamo.

6 Q And how many different chat files did you
7 find in the chat problem related to bradass87?

8 A Sir, there were four files.

9 Q And what were the dates of those files?

10 A 21, 22, 23 and 24 May 2010.

11 Q And after examining the computer could you
12 tell why the computer stored these chat conversations?

13 A Sure. As part of the default settings,
14 apparently all the chats were logged.

15 Q Did you find chat logs or at least during
16 your examination did you see chat logs with other
17 people on the computer?

18 A They were present, yes.

19 Q And with respect to the chat logs between
20 Adrian Lamo and bradass87, did you find other versions
21 of the chat logs on the computer?

1 A Yes, sir. Within the desktop there were
2 variations of it.

3 Q What was the difference between the version
4 of the chat logs in the desktop version, the versions
5 in the program?

6 A The chat logs appeared to be the original
7 sources unmolested. The chats on the desktop were
8 combined, they were formatted differently.

9 Q Let's talk about the Linux computer.
10 First, what is the Linux?

11 A Linux is just an operating system.

12 Q How does it distinguish from a Mac
13 operating system or Windows operating system?

14 A Sir, it's just a different operating
15 system. It's free, very powerful, easy to use.

16 Q And on this computer, the Linux computer,
17 did you find chat logs containing the user name
18 bradass87?

19 A Yes, sir; I did.

20 Q In what form were the chat logs on this
21 computer?

1 A It was just a text file, sir.

2 Q And for the court's knowledge, what is a
3 text file?

4 A It's just a text file, no formatting, just
5 plain words.

6 Q What was the, this text file called? Was
7 the file named at all?

8 A Yes, sir, it was named Zero, Z-E-R-O.

9 Q Based on the review of the text file, could
10 you tell chat application?

11 A No, sir.

12 Q Again, what were the user names of the
13 individuals in the chat logs in the zero file?

14 A Bradass87 and Mr. Lamo's.

15 Q And what were the time periods of the chat
16 logs in Lamo's?

17 A It was 25 May 2010 and on.

18 Q And did you find other versions of these
19 chat logs in other places on the computer?

20 A Yes, sir; I did. Again on the desktop
21 there are different variations of it. They're

1 formatted differently. They have different names. I
2 believe one was Brad, underscore, confession. Things
3 like that.

4 Q In this case on the Linux computer, which
5 logs appeared to be the originals?

6 A The one from zero.

7 Q Why do you say that?

8 A Sir, I compared them against the recovered
9 chat logs from PFC Manning's personal computer and they
10 matched.

11 Q We'll talk about that later.

12 On both computers, Windows and Linux, did
13 the chats you identified appear to be between the same
14 individuals?

15 A Yes, sir.

16 Q At any time during this investigation did
17 you combine all the chat logs from these two computers
18 into one document?

19 A Yes, sir; I did.

20 Q Why did you combine the chat logs?

21 A I wanted to see if they flowed. I wanted

1 to see, they seemed to be a complete communication
2 between the two computers.

3 MR. MORROW: I'm retrieving Prosecution
4 Exhibit 30 for identification.

5 I'm handing the witness what has been
6 marked as Prosecution Exhibit 30 for identification.

7 THE DEFENSE: Your Honor, the defense wants
8 to stipulate the chat logs from Linux computer and
9 whatever was pulled from Private First Class Manning's
10 computer are the same.

11 MR. MORROW: Well, I'll ask a few
12 foundational questions and I'll move on so it will be
13 clear.

14 THE COURT: Go ahead.

15 BY MR. MORROW:

16 Q Do you recognize the document?

17 (Witness reading.)

18 A Yes, sir.

19 Q And what is it?

20 A Sir, it's the combined chat logs.

21 Q How do you know?

1 A Sir, because I combined them and this
2 appears to be what this is.

3 Q When you combined the chat logs did you
4 alter the information in any way?

5 A No, sir, I did not.

6 Q Is that an accurate representation of the
7 chat logs in printed form?

8 A Appears to be.

9 Q You say you combined the chat logs; is that
10 correct?

11 A Yes, sir.

12 Q These chat logs files have dates?

13 A Yes, sir.

14 Q When you combined the chat logs files did
15 you place the chats in chronological order?

16 A Yes, sir; I did.

17 Q Did you review the content of the chat logs
18 once they were combined?

19 A Yes, sir; I did.

20 Q Did you find any information that confirmed
21 the additional allegations of compromised classified

1 information?

2 A Sir, yes, it appeared to be there.

3 MR. MORROW: At this time, Your Honor, the
4 prosecution offers Prosecution Exhibit 30.

5 THE DEFENSE: No objection, Your Honor.

6 THE COURT: Prosecution Exhibit 30 is
7 admitted.

8 MR. MORROW: No further questions. Thank
9 you.

10 THE COURT: Defense?

11 THE DEFENSE: No.

12 THE COURT: Is the witness temporary or
13 permanently excused?

14 MR. MORROW: Temporary.

15 THE COURT: You're temporarily excused.

16 Once again, please don't talk about the
17 case other than with counsel and the accused while the
18 trial is still going on.

19 THE WITNESS: Thank you.

20 MR. WHYTE: The United States asks for a
21 brief recess for counsel to leave.

1 THE COURT: For counsel to leave?

2 MR. WHYTE: So Captain Morrow can excuse
3 himself.

4 THE COURT: Can he excuse himself without
5 taking a break?

6 MR. WHYTE: Let the record reflect Captain
7 Morrow is no longer present.

8 THE COURT: The record shall so reflect.

9 MR. WHYTE: Ma'am, at this point the United
10 States offers a stipulation.

11 THE COURT: Proceed.

12 MR. WHYTE: (INAUDIBLE) The stipulation of
13 expected testimony of Elisa Ivory dated 10 May 2013.
14 It is herein agreed by the accused, defense counsel,
15 and trial counsel that if Ms. Elisa Ivory were present
16 to testify during the merits and pretrial hearings she
17 would testify substantially as follows:

18 Number one, I, Elisa ivory, previously of
19 the surname Rubin and the Officer In Charge, OIC, of
20 the S2 section at the 305th military (INAUDIBLE)
21 Arizona. I have held this position since 2009.

1 As the OIC, I am responsible for security
2 oversight including the security measures necessary for
3 the in and out processing of Advanced Individual
4 Training, AIT, students at the United States Army
5 Intelligence Center and School.

6 Two, before becoming the OIC of the S2
7 section I was a security specialist in the S2 section
8 for nearly 15 years.

9 I was the lead for the enlisted section of
10 AIT students and was responsible for processing,
11 clearance paperwork, tracking the status of security
12 clearances and providing the security briefed to
13 incoming and outgoing AIT students.

14 Three, all AIT students were required to
15 have a secret security clearance to attend AIT. I was
16 responsible for confirming that the AIT students
17 possess the necessary security clearance through the
18 joint personnel adjudication system. If any student
19 did not possess a secret security clearance, I would
20 process the security clearance which would include
21 having the student complete a standard form SF86.

1 Some military occupational specialists,
2 MOS, required that the student possess a top security
3 clearance in order to graduate AIT and I would assist
4 those students with processing their top secret
5 security clearances.

6 Private First Class Manning is a 35,
7 previously 96 Bravo all-source intelligence analyst and
8 MOS that required Private First Class Manning to
9 possess a top secret security clearance in order to
10 graduate from AIT.

11 Number four, Private First Class Manning
12 attended AIT from 4 April 2008 until 14 August 2008
13 during which time I was a security specialist in the
14 GT2.

15 At 0800 on Monday, 7 April 2008 I gave all
16 students, including Private First Class Manning, a
17 security brief which lasted approximately 45 minutes.
18 A brief in class including PFC Manning on operational
19 security and information security, INFOSEC.

20 Specifically I briefed that OPSEC is the
21 process of denying adversaries information about

1 friendly capabilities and intentions by identifying,
2 controlling and protecting indicators associated with
3 the planning and conducting of military operations and
4 other activities.

5 Specifically I briefed that INFOSEC is a
6 system of policies, procedures and requirements
7 established under the authority of Executive Order
8 13526 to protect information that, if subjected to
9 unauthorized disclosure, could reasonably be expected
10 to cause damage to the National Security.

11 I briefed the class, including PFC Manning,
12 about the dangers on National Security of allowing U.S.
13 Army and government classified information on the
14 internet.

15 I explained to the class, including PFC
16 Manning, that putting information on the internet not
17 only exposes information relating to our National
18 Security but also puts each soldier at risk of
19 blackmail by our adversaries given his position of
20 trust to safeguard classified information.

21 During my brief I discussed previous cases

1 of treason to include John Walker Lindh and Aldrich
2 Hazon Ames to teach PFC Manning and the rest of the
3 class the consequences of violating this position of
4 trust and betraying his country.

5 Number five, at the conclusion of my
6 security brief, I explained to the class and PFC
7 Manning the purpose and contents of the standard form
8 SF312 Non-Disclosure Agreement, NDA.

9 I then asked the class and PFC Manning if
10 they wanted to voluntarily sign the NDA. PFC Manning
11 volunteered to sign the NDA.

12 I then instructed PFC Manning and those
13 others who signed the NDA to stand up and raise their
14 right hand and state that they accepted the
15 responsibilities contained within the NDA and
16 voluntarily agreed to be bound by the terms within the
17 NDA. Afterwards, PFC Manning completed and voluntarily
18 signed the NDA for which I cosigned as a witness to PFC
19 Manning's signature.

20 Number six, the NDA with Bates Nos.
21 00022912 through 00022913 is the NDA which PFC Manning

1 executed on 7 April 2008. The same document is the
2 NDA, which I then witnessed PFC Manning sign. I
3 recognize my signature on that specific NDA and I,
4 along with each student for which I cosigned as a
5 witness, followed the above described procedures each
6 time the student executed an NDA.

7 Let the record reflect I'm retrieving
8 Prosecution Exhibit 59 for identification from the
9 court reporter.

10 May the United States offer Prosecution
11 Exhibit No. 59 for identification into evidence?

12 THE COURT: May I see it? Any objection?

13 MR. HURLEY: No objection.

14 THE COURT: All right. Prosecution
15 Exhibit 59 for identification is admitted.

16 MR. WHYTE: Ma'am, the United States calls
17 Troy Moul.
18 Whereupon,

19 TROY MOUL,
20 called as a witness, having been first duly sworn to
21 tell the truth, the whole truth, and nothing but the

1 truth, was examined and testified as follows:

2 DIRECT EXAMINATION BY MR. WHYTE:

3 Q You are Mr. Troy Moul?

4 A Correct.

5 Q Mr. Moul, what is your current position?

6 A I work at Tucson Embedded Systems as the
7 red disk trainers developers slash (INAUDIBLE)
8 assistance ISR --

9 Q What is that?

10 A Intelligence (INAUDIBLE).

11 Q What is SME?

12 A Subject matter expert.

13 Q When did you start that position?

14 A April 1st of this year.

15 Q What are your responsibilities in that
16 position?

17 A I produce the training support packages,
18 lesson plans, user manuals for the red disk, program of
19 record and then (INAUDIBLE) with any ISR of any
20 questions from the software developers.

21 Q What was your position before joining

1 Tucson Systems?

2 A I worked you've 35 Fox 10 level

3 (INAUDIBLE).

4 Q Can you explain 35 Fox? What is that?

5 A The 35 Fox 10 level is the introduction
6 schoolhouse for the all-source analysts.

7 Q What was your position at the AIT school?

8 A 35 Fox instructor trainer.

9 Q How long were you an instructor at the
10 intelligence analyst course?

11 A I started there in September of '07. Left
12 there in April of this year.

13 Q What is your military background?

14 A Five years active duties service in the
15 United States Marine Corp.

16 Q What was your MOS?

17 A 0231.

18 Q Is there an Army equivalent?

19 A Yes, the 35 Fox.

20 Q What training did you receive to become an
21 intelligence specialist?

1 A I received training at the Navy Marine
2 Intelligence Training Center.

3 Q Let's talk about your time at AIT when you
4 were an instructor. How do you know PFC Manning?

5 A He was a student of mine.

6 Q When were you PFC Manning's instructor at
7 AIT?

8 A It was spring, summer of 2008.

9 Q What was PFC Manning's MOS at the time?

10 A He was trained to become a 35 Fox.

11 Q What is a 35 Fox?

12 A That is the all-source analyst for the
13 Army.

14 Q Are you familiar with what an all-source
15 intelligence analyst does?

16 A Yes.

17 Q How?

18 A Trained them for the six years or so and
19 been working in and around the field for the past 13.

20 Q You said that was what you were --

21 A Correct, Marine Corps equivalent.

1 Q How would you describe what a 35 Fox does?

2 A Easiest way of saying, jack-of-all-kinds,
3 master of none. They take information from the
4 specialized intelligence disciplines out there and make
5 it understandable to their commander.

6 Q Where was the intelligence analyst course?

7 A Arizona.

8 Q How long was the course PFC Manning
9 attended at AIT?

10 A 16 weeks and three-day course.

11 Q Of the 16 weeks at AIT, how many were spent
12 in the classroom?

13 A Roughly 14 of those.

14 Q Let's talk about the classroom instruction
15 at AIT. How many days a week was PFC Manning in the
16 classroom?

17 A We were there five, sometimes six days a
18 week depending if we had a holiday or training event
19 that took precedence.

20 Q And what were the hours of operation at the
21 schoolhouse?

1 A Roughly 8 to 4.

2 Q How old were any of the students at AIT?

3 A Between 18 and 22.

4 Q How did you instruct the material to the
5 younger audience?

6 A Try to relate the material as best as
7 possible through the use of popular culture of the day
8 and any sport analogies or movie analogies that I could
9 think of.

10 Q What guidance were you given on what
11 material to instruct PFC Manning at AIT?

12 A Prior to the start of the cycle we were
13 handed a lesson plan and a program of instruction to
14 teach.

15 Q So this lesson plan, what is a lesson plan?

16 A It was the outline that we were supposed to
17 teach from.

18 Q What is the purpose of a lesson plan?

19 A It was to ensure since we had a multitude
20 of students coming through that everybody got the same
21 base material with a little leeway for the instructor

1 experiences and knowhow.

2 Q When you got the lesson plan how did you
3 implement it?

4 A We were given the material from our
5 training development team and we were told to review
6 it, make sure we understood it and then find a way to
7 pass that information on to the students.

8 Q Are you familiar with the lesson plan for
9 the intelligence course that PFC Manning was in?

10 A Yes, I am.

11 Q How was that lesson plan organized?

12 A It always started off with the course
13 number that would be taking, our version number that we
14 were currently on, the date that either the lesson plan
15 would be finalized or had been finalized, a table of
16 contents as to what we would be covering and then the
17 lessons themselves.

18 Q How many lessons were there?

19 A There's 14 lessons at the time.

20 Q Are you familiar with how a lesson plan
21 becomes approved?

1 A Yes, I am.

2 Q Can you explain that process?

3 A Tradeoff regulations would stipulate that a
4 lesson plan after being developed would be implemented
5 by at least three classes, from start to finish, with
6 minor grammatical or formatting changes to be made.
7 Once it had gone through those three iterations, it
8 would pass through another checks and balances, higher
9 up the chain and then (INAUDIBLE) would come back and
10 sign off on it.

11 Q Do you remember if the lesson plan when PFC
12 Manning attended AIT had been approved?

13 A It had not.

14 Q So it was still in the training process?

15 A Correct, still the verification embedding.

16 MR. WHYTE: Let the record reflect I'm
17 retrieving Prosecution Exhibit No. 54 from the court
18 reporter.

19 Let the record reflect I'm handing the
20 witness what has been marked as Prosecution Exhibit 54
21 for identification.

1 BY MR. WHYTE:

2 Q Mr. Moul, please look at that document and
3 let me know when you're finished.

4 (Witness reading.)

5 A All right, sir.

6 Q Are you familiar with this document?

7 A I am.

8 Q What is this document?

9 A This is a copy of the table of contents for
10 a lesson plan.

11 Q And what characteristics about this
12 document help you identify it as the table of contents?

13 A Of course, the title Table of Contents,
14 intelligence Analyst Course on top, the course and
15 version number, the lessons that were actually taught.

16 Q So what would you do with this lesson plan
17 after you gave a block of instruction?

18 A After a block of instruction, we would
19 review our lesson plan to ensure we hit the critical
20 points during instruction and if we didn't, then we
21 would make sure to reiterate those during our review

1 phase prior to examination.

2 Q How many lessons are included in
3 Prosecution Exhibit 54 for identification?

4 A 14 total.

5 Q Are you familiar with those 14 lessons?

6 A Yes, I am.

7 Q How so?

8 A Of the 14, 13 of them were actually taught
9 in my classroom.

10 MR. WHYTE: Your Honor, at this point we
11 offer Prosecution Exhibit 54 for identification into
12 evidence.

13 MR. HURLEY: I would object as hearsay. I
14 don't understand why he would need the table of
15 contents or why the trier of fact would need to make a
16 determination in this case. You've essentially heard
17 all the testimony from the witness.

18 THE COURT: It's a relevance objection?

19 MR. HURLEY: Yes, ma'am.

20 THE COURT: May I see it, please?

21 I'm going to overrule that.

1 Any other questions?

2 MR. HURLEY: No, ma'am.

3 THE COURT: Prosecution Exhibit 54 for
4 identification is admitted.

5 MR. WHYTE: Let the record reflect I'm
6 retrieving back Prosecution Exhibit 54 for
7 identification back from the court reporter and handing
8 it back to the witness.

9 BY MR. WHYTE:

10 Q Mr. Moul, can you please explain to the
11 court this first lesson generally, what it consisted
12 of?

13 A Lesson one was a welcome to the course and
14 an in-processing in the classroom.

15 Q What about the second lesson?

16 A Lesson two was information security and
17 operational security.

18 Q So what type of information was taught?

19 A We would go over what is classified
20 information, what makes something classified
21 information, how does one handle, store it, how does

1 one destroy it. And then in terms of basic
2 unclassified material, what are some things that
3 personally you wouldn't want an enemy to get ahold of.

4 Q Can you briefly explain what the third
5 lesson consisted of?

6 A That was the research and briefing portion
7 of the class.

8 Q So just a one line summary of what that
9 lesson included?

10 A Here's how the Army would like you to do
11 research. Here's some of the places you can go to
12 conduct research and then here's how you would present
13 that material.

14 Q Can you give a one line summary of the
15 fourth lesson that was taught to PFC Manning?

16 A Here's a map, both hard and soft copy,
17 symbology and how to show it on a map.

18 Q What about the fifth lesson?

19 A Here's how the Army likes to operate
20 doctrinally, how they prefer to do things and how they
21 interoperate with other organizations.

1 Q And the sixth lesson?

2 A This is step one and two, where are we
3 going, what kind of an area are we going to be fighting
4 in, and some of the basic information we need to know
5 about the people, the place, the terrain, the general
6 knowhow of the AO.

7 Q And so you mentioned two acronyms, IBP.
8 What is IBP?

9 A Stands for intelligence preparation of the
10 battlefield.

11 Q And AO?

12 A Area of operations.

13 Q Can you please explain to the court a brief
14 one line summary of the seventh lesson taught to PFC
15 Manning?

16 A What is the threat that we have in our AO,
17 who are they and what do they consist of.

18 Q What does it mean to evaluate the threat?

19 A Get to know everything you possibly can
20 about the threats inside your AO.

21 Q What type of information (INAUDIBLE)?

1 A There's actually 13 different categories of
2 the threat and some of the big ones are what are their
3 strength in numbers; what weapons systems do they use;
4 what kind of attacks do they use; where are they set
5 up; how do they like to operate; where are they getting
6 materials; where are they getting supplies.

7 Q And now just a brief one line summary of
8 the eighth lesson?

9 A Now that we know who the threat is and what
10 they can do, how are they going to actually conduct
11 those operations.

12 Q And the ninth lesson?

13 A This is where we start determining what we
14 don't know and what information is still going to be
15 vital to our commander in order to meet their mission
16 intent.

17 Q What is the ISR plan?

18 A The ISR plan is the base plan utilized by
19 the intel and operations sections to send assets out to
20 collect more information about the AO so that we can
21 fill in those gaps of knowledge.

1 Q Now, the 10th lesson, can you give a brief
2 summary of what that consisted of?

3 A How to lethally or nonlethally remove a
4 person, place, thing or idea from our area of
5 operations so that we can meet our mission and intent.

6 Q And the 11th lesson?

7 A Basic intel analysis, how to take all the
8 information that we have gathered and collected and all
9 the information we have researched and produce
10 something presentable and briefable to the command.

11 Q Can you explain the simulated wartime
12 environment that was created during this lesson?

13 A During that time, the classes would either
14 split the class in half or pit classroom against
15 classroom in a red versus blue scenario.

16 Q Who was the blue cell?

17 A Friendly forces, generally modeled after
18 the US Army.

19 Q What was their mission as friendly forces?

20 A Their mission was to go into an area, a
21 simulated area, generally the Sierra Mist area and

1 remove insurgent forces from that location in order to
2 make the area of operation more suitable for the
3 government to take control again.

4 Q And what about the red cell, the other
5 team?

6 A The red cell was just the opposite. They
7 were the enemy, the adversary, the threat that was
8 trying to undermine the authority of the local
9 government and the blue cell and attempt to remain in
10 control of the AO.

11 Q During this block of instruction, what
12 training did PFC Manning receive on the computer
13 systems?

14 A We also covered the D6-A suite at this
15 time.

16 Q What is the D6-A?

17 A Stands for distributed common ground
18 station Army and it is the network of computer systems
19 generally on the Internet that are utilized by the U.S.
20 Army and other branches to maintain instant
21 connectivity between each other.

1 Q So what type of training did PFC Manning
2 receive during this period?

3 A We went through specialized training for
4 the software on the program or on the system, the MFWS
5 system and taught the soldiers how to utilize those
6 assets to best present and understand their materials.

7 Q Can you explain to the court, just a brief
8 one line summary of the 12th lesson?

9 A Now that you've got everything kind of
10 gathered, now that you have everything ready, these are
11 the different types of products that would be produced
12 and we needed for command and staff elements to
13 (INAUDIBLE) themselves and do MD&P.

14 Q MD&P?

15 A Stands for military and decision-making
16 process.

17 Q Can you explain to the court the 13th
18 lesson?

19 A 13th lesson is where we would actually send
20 the students out to a site Maverick and conduct a
21 simulated deployed environment.

1 Q And what about the final lesson? Were you
2 involved in that final 14th lesson?

3 A I was not. That was handled by the
4 company.

5 Q So let's talk about the second lesson,
6 information security, operational security.

7 How long -- let the record reflect I'm
8 retrieving Prosecution Exhibit (INAUDIBLE).

9 So information security operational
10 security, how long is this period of instruction?

11 A It was three days.

12 Q Do you remember teaching PFC Manning?

13 A I do.

14 Q What materials were provided to the
15 students during this instruction?

16 A Before showing up to the course each
17 student was issued a laptop and then when they got into
18 the course we would give them a CD containing soft copy
19 of all of our lessons, the PowerPoints.

20 They also had soft copy of all the doctrine
21 and FMs we would be going through and for select

1 materials we would actually give them hard copy
2 doctrine and publication.

3 Q What Army regulations, do you remember, PFC
4 Manning may have been provided during this period?

5 A Off the top of my head he was provided the
6 (INAUDIBLE) equipment guides, copies one and two. He
7 was provided a symbology handout and AR380-5 were the
8 main hard copy versions given out.

9 Q Did you present in this period of
10 instruction to the AIT student?

11 A I did.

12 Q What was the organization of this
13 PowerPoint?

14 A The PowerPoint would start off with this is
15 what the block of instruction is going to be. We would
16 then move into basic administrative data from the
17 classroom, what to do in case of fire, what to do in
18 case of flood and that kind of deal.

19 We then go into an agenda slide over what
20 we would be covering for the block of instruction and
21 then go into the lesson plan itself.

1 Q Are there any unique characteristics about
2 this PowerPoint that would help you identify it coming
3 from AIT?

4 A Yes, there are.

5 Q What are those characteristics?

6 A Some of the base characteristics we had for
7 our slides in the upper right-hand corner is the MI
8 crest and unit symbol. Prior to December of 2008 the
9 slides were just horribly formatted. Text different
10 sizes, different fonts, titles just jumping all around
11 the place.

12 MR. MORROW: Let the record reflect I'm
13 retrieving Prosecution Exhibit 52 for identification.

14 Let the record reflect I'm handing the
15 witness Prosecution Exhibit 52 for identification.

16 (Witness reading.)

17 BY MR. WHYTE:

18 Q Mr. Moul, please look at that document and
19 let me know when you're finished. Are you familiar
20 with this document?

21 A I am.

1 Q What is this document?

2 A This is a hard copy of the PowerPoints that
3 we provided to the students.

4 Q What characteristics about this document
5 help you identify it as coming from AIT?

6 A Again, the big giveaway are the MI crest
7 and unit symbol up in the upper left-hand and
8 right-hand corners. The MI symbol in the center
9 (INAUDIBLE), and again the basic formatting issues
10 throughout the slide show.

11 Q Is the organization with this PowerPoint
12 consistent with your memory?

13 A Yes, it is.

14 MR. WHYTE: Your Honor, at this time we
15 offer Prosecution Exhibit 52 for identification into
16 evidence.

17 THE COURT: Any objection?

18 MR. HURLEY: No objection.

19 THE COURT: May I see it, please?

20 Prosecution Exhibit 52 for identification
21 is admitted.

1 MR. WHYTE: Your Honor, at this point
2 request permission to publish the exhibit for the
3 court.

4 THE COURT: Resume.

5 BY MR. WHYTE:

6 Q So Mr. Moul, according to slide number 7 --
7 Your Honor, can we have a moment?

8 THE COURT: Do you need a recess?

9 MR. WHYTE: Yes, ma'am. Brief recess.

10 THE COURT: Ten minutes.

11 MR. WHYTE: Yes, ma'am.

12 THE COURT: All right. If you would please
13 step down. We're going to recall you. Please don't
14 discuss your testimony or knowledge of the case with
15 anyone during recess.

16 Court recessed.

17 (Brief recess.)

18 THE COURT: Court is called to order.

19 Mr. Fein, would you like to account for the
20 parties?

21 MR. FEIN: Yes, ma'am. (INAUDIBLE).

1 THE COURT: Proceed.

2 THE PROSECUTION: United States calls
3 Mr. Moul.

4 BY MR. WHYTE:

5 Q Mr. Moul, I remind you you're still under
6 oath.

7 A Okay.

8 Q Mr. Moul, according to slide number 7 what
9 training was PFC Manning provided on classification
10 designations?

11 A He was trained in accordance with Army
12 Regulation 380-5 about the different levels of
13 classification.

14 Q And slides eight and nine, what was he
15 taught about the classification process?

16 A Again coming from (INAUDIBLE) he was taught
17 what a person of thought is, what they can and can't
18 decide and can and can't classify and who can and
19 cannot declassify information.

20 Q Slide 12 through 16. What training was PFC
21 Manning provided on classification markings?

1 A He was trained on how to mark both hard
2 copy and soft copy documents. Visible at the top and
3 bottom of every page. Ensuring the classification is
4 readily available. Paragraph markings. Bullet
5 markings for slides. Document protection. The BSF
6 series of documents for the front and back cover of a
7 printed document as well as stickers that would go on
8 electronic media.

9 Q Slide 21, what training was PFC Manning
10 provided on declassification?

11 A Again, in according with AR380-5 the entire
12 class was informed that only an originating authority
13 could declassify material and then that there are four
14 different levels of review that a document would fall
15 under.

16 Q And according to slide 22 how are students
17 tested on these different classification levels?

18 A This is an example of one of the student
19 checks that would take place throughout the block of
20 instruction. These were really to make sure that the
21 students were actually following along with us and

1 staying with us and more than anything else it was a
2 PowerPoint of the classroom to stay awake with us.

3 These questions would come up. The student
4 was chosen at random. Practical exercises were
5 conducted later in the course and then an examination
6 was the culmination for this block of instruction.

7 Q According to slide 26 what training was PFC
8 Manning provided on what is required for someone to be
9 given access to classified information?

10 A Again, according to the AR, the
11 verification that they had a security clearance, they
12 had a need to know and that an SF312 had been signed by
13 the individual requesting access.

14 Q According to slide 31 what training was PFC
15 Manning provided on who is responsible for protecting
16 classified information?

17 A As the title up there shows, it's every
18 individual's responsibility that has access.

19 Q And slide 38 what training was he provided
20 on how to store classified information?

21 A He was trained in accordance with the GSA

1 standards that have been approved through 380-5 for
2 safes and containers and the transfer of the materials
3 and whatnot.

4 Q And slide 47 and 48, what training was he,
5 did he receive on labeling media devices?

6 A Again, he was informed as well as the rest
7 of the class was informed that anything that fell under
8 this list or anything that fell under electronic media
9 had to ensure that these stickers were readily
10 prevalent on the media. Example, the screens on the
11 court reporter's desk would have to have the green
12 sticker since they are unclassified, readily visible on
13 the computer screen.

14 Q Slide 53 and 54, what training was he
15 provided on how to transport classified information?

16 A He was instructed about the courier system
17 as well as how to send media through either electronic
18 means, e-mail or in this case the registered mail with
19 the US postal office and actually certified mail and
20 sending something in hard copy.

21 Q Now, let's talk about operational security.

1 According to slide 71 and 72 what training was PFC
2 Manning provided on the type of information we withhold
3 from our enemies?

4 A He was trained that anything that the enemy
5 can use or piece together to use against us will be
6 stuff that they want to protect and not let out.

7 Q On slide number 72, can you please read
8 some of the examples of critical information we
9 withhold from our enemies?

10 A Photos, installation maps with highlights
11 of designated points of interest. Sleeping and working
12 areas. Commander facilities, dining facility. Our
13 standard operating procedures. Our tactics techniques
14 and procedures. Unit capabilities and intent. The
15 morale of our unit and basic personal or familial
16 information about the soldiers themselves.

17 Q According to slide number 73, what training
18 was PFC Manning provided about the dangers of putting
19 information on the internet?

20 A They were informed that, you know, the
21 web's open to anybody hence the blue bar down below.

1 Remember it's called the World Wide Web for a reason.
2 Anybody that has access to the internet can see any of
3 the information that's on the internet. And it's just,
4 it was really pertinent to make sure that whatever one
5 was releasing on the internet was not something that
6 could be used against them or against a military
7 organization.

8 Q And what examples did you provide PFC
9 Manning about how posting information on the internet
10 can be helpful to the enemy?

11 A Well, the biggest example I would use here
12 to ensure that the younger individuals coming to the
13 class or the uneducated in the military would
14 understand is mother's maiden name, your date of birth
15 and Social Security number. While separate they can't
16 do a whole lot of damage, but when you take the three
17 of them and put them together, somebody else can open a
18 line of credit in your name, mess up your credit score.
19 Start doing bad things against your name, your personal
20 reputation. So this is, that was the example you see
21 here. Think about some of this information like this,

1 you know, if your mother's maiden name and Social
2 Security got out there, if you say something similar to
3 the effect of, my unit alpha company whatever we're
4 going to board this plane at this airport at this time,
5 an enemy can get ahold of that and use that information
6 and plan an attack against that airline or that
7 airplane or the unit.

8 Q And in training was PFC Manning provided
9 about the consequences of compromising classified
10 information?

11 A We ensured that the soldiers went through
12 the SF312, the Non-Disclosure Agreement and according
13 to that document disclosing classified information or
14 disclosing --

15 THE DEFENSE: We would object as to the
16 relevance that Mr. Moul understands might flow from
17 disclosure of classified information.

18 THE COURT: Well --

19 THE DEFENSE: Ma'am, I don't believe it's
20 relevant.

21 MR. WHYTE: Your Honor, the United States'

1 position is it's relevant to the wanting element of
2 charge 2.

3 THE COURT: He's going over what's on the
4 non-disclosure form, right? His testimony is about
5 what he told the class; is that correct?

6 MS. WHYTE: Yes, ma'am.

7 THE COURT: Overruled.

8 BY MR. WHYTE:

9 Q You can continue, Mr. Moul.

10 A Again, in the class we went over the 312
11 was the fact of any knowing disclosure of classified
12 information could lead to 10 years imprisonment or
13 10,000-dollar fine.

14 Q How were students instructed on protecting
15 classified information?

16 A The block of instruction culminating with
17 one hour, 30 questions multiple choice.

18 Q What grade did the students have to receive
19 to pass this test?

20 A 80 percent or better.

21 Q Did everybody have to pass the test?

1 A Yes, they did.

2 Q What happened if someone failed it?

3 A If they failed the initial examination,
4 they were counseled by the green suiters. They
5 received retraining from their instructors and given a
6 secondary chance to do a different version of the
7 examination.

8 Q What happened if someone failed it again?

9 A If they failed it again, at that point the
10 soldier, their information would be turned over to the
11 green suitors again or the military instructors at the
12 time would put together a recycle or relief packet and
13 present to (INAUDIBLE) OIC, the officer in charge at
14 that time that would make a determination as to whether
15 or not the individual would be given a third chance
16 with the class they were with, if they would be
17 recycled to the next available class to attend the
18 training again and get a chance at both tests, or if
19 they would be relieved from the course and given the
20 opportunity to do a different MOS.

21 Q Did PFC Manning have to pass the test to

1 graduate?

2 A Yes, he did.

3 Q Did PFC Manning graduate?

4 A He did.

5 Q Are you familiar with the school's policy
6 on attendance?

7 A I am.

8 Q Can you explain that policy?

9 A According to the student evaluation plan, a
10 student commits no more than seven and a half
11 consecutive hours of one block of instruction or 15 and
12 a half cumulative hours within a block of instruction.

13 MR. WHYTE: At this time let the record
14 reflect that Prosecution Exhibit No. 52 has been
15 removed from display.

16 BY MR. WHYTE:

17 Q So now let's just talk about lesson number
18 3. How did you present this block of instruction to
19 the AIT students?

20 A Like all of the rest of the blocks of
21 instruction, it was in PowerPoint format and as the

1 slides would come up we would talk about the slides to
2 the student or get a discussion going as to what the
3 material was on there.

4 Q What was the organization of this
5 PowerPoint?

6 A Just like the rest of the slides, it would
7 start off with the title slide, go through the
8 administrative data, go through the agenda, the safety
9 data and get into the actual block of instruction.

10 Q Are there any unique characteristics about
11 this PowerPoint that would help you identify it as
12 coming from AIT?

13 A Yes, there are.

14 Q What are those characteristics?

15 A The same characteristics that would have
16 been on or were on the information security slides, the
17 crest in the upper left-hand, right-hand corner. The
18 font colors used, the general jaggedness of the format
19 of the slides.

20 Q Retrieving Prosecution Exhibit No. 51 for
21 identification. I'm handing Prosecution Exhibit No. 51

1 for --

2 THE COURT: Hold on just a minute.

3 MR. WHYTE: Let the record reflect I'm
4 handing Prosecution Exhibit No. 51 for identification
5 to the witness.

6 Q Mr. Moul, please look at that document and
7 let me know when you're finished.

8 (Witness reading.)

9 Q Are you familiar with this document?

10 A I am.

11 Q What is this document?

12 A This is an excerpt from the third lesson
13 that we went over.

14 Q What characteristics about this document
15 help you identify it today?

16 A Again the crest in the upper left-hand,
17 right-hand corner. Some of the pictures are still
18 prevalent and used. The lesson plans that we were
19 teaching up until the time I left and again the general
20 formatting issues throughout it.

21 MR. WHYTE: Your Honor, at this time we

1 offer Prosecution Exhibit 51 for identification into
2 evidence.

3 THE DEFENSE: No objection.

4 THE COURT: May I see it, please?

5 Prosecution Exhibit 51 for identification
6 is admitted.

7 MR. WHYTE: Your Honor, we request
8 permission to publish this exhibit for the court.

9 THE COURT: Proceed.

10 BY MR. WHYTE:

11 Q Mr. Moul, according to slide 216 through
12 219 what training did PFC Manning receive on the
13 background of terrorist organizations?

14 A PFC Manning and the class received from
15 macro information about some prominent terrorist
16 organizations, al-Qaeda being one of them. The others
17 being (INAUDIBLE) Islam, Sunni and al-Qaeda in Iraq.

18 Q How did PFC Manning use this material later
19 in the course?

20 A The material that was provided here was
21 reference to, again, in the lesson 7, I think, the

1 evaluate the threat, the IBP step positioner of the
2 classroom.

3 Q What did students have to do with the
4 information that they learned previously?

5 A Again some of the macro information that
6 was presented here was to let them know why the
7 different organizations did what they did and how they
8 did what they did.

9 When we got into the step 3, the evaluate
10 the threat, base information about possible threat
11 groups in their area of operations was presented to
12 them and they would have to then draw conclusions as to
13 which of the groups operate inside their AO.

14 Q So according to the slide 220 through 223,
15 what training did PFC Manning receive on terrorist
16 recruiting efforts?

17 A They received the base training, the
18 different types of recruiting utilized by terrorist
19 organizations, they received information about willful
20 recruiting and unwilful recruiting as well as how some
21 organizations, particularly in the al-Qaeda and Iraq

1 organization here would utilize events happening within
2 the country to recruit followers from within that area
3 that they're in.

4 Q Mr. Moul, would you please read slide 223
5 for the record?

6 A Over the last ten years the number of
7 terrorist sites has jumped from less than 100 to as
8 many as 4,000. Many insurgency groups have many sites
9 and message boards to help their network.

10 MR. MORROW: Thank you. Let the record
11 reflect prosecution Exhibit 51 has been removed from
12 the display.

13 Mr. Moul, let's just briefly talk -- let
14 the record reflect I'm retrieving from the witness
15 prosecution Exhibit No. 51.

16 BY MR. WHYTE:

17 So Mr. Moul, just lastly let's focus on the
18 field training exercise that you spoke about earlier.

19 A Okay.

20 Q How long is this field training exercise?

21 A It was 10 days and the actual field

1 exercise with three days of prep work.

2 Q Can you describe this field exercise?

3 A It was, again, located in the field at site
4 Maverick and was a simulated deployment the students
5 would go through.

6 Q And how were the students broken up in this
7 field training exercise?

8 A Each classroom was broken up into an
9 individual talk there at the site. The talks were then
10 divided into two shifts of 12 hours apiece and then
11 those shifts were further broken down into one of four
12 different cells within the talk.

13 Q And what were those cells?

14 A They were the operation cells, targeting
15 cells, fusion cell and ISR cell.

16 Q How often would students rotate between
17 these two sections?

18 A Every two to three days or so depending on
19 the work flow.

20 Q One of the cells you named was operation
21 cell. What was the operation cell?

1 A The operation cell was responsible for the
2 current fight that was going on. They were to ensure
3 that everyone within a talk understood the messages
4 that were coming across and to ensure that those, of
5 the other three cells actually got those messages.

6 Q Did PFC Manning work in this group?

7 A Yes, he did.

8 Q What were the ISR cells?

9 A The ISR cell were the individuals
10 responsible for collecting that information that needed
11 to be known in order to fill in those gaps we had.

12 Q Did PFC Manning work in this group?

13 A Yes, he did.

14 Q What about the targeting cell? What was
15 that?

16 A Their purpose was again to either lethally
17 or nonlethally remove some kind of a threat from the
18 AO.

19 Q Did PFC Manning work in this group?

20 A Yes.

21 Q And lastly what about the fusion cell?

1 What was the fusion cell?

2 A They were the cell responsible for bringing
3 together all of the materials from the other cells,
4 fusing it into a product that was ready to be briefed
5 as well as looking at the future fight, what the threat
6 groups were doing, the types of operations they were
7 conducting and what were going to be the most likely
8 kind of attacks that our unit could expect to see in
9 the next 12, 24 or 48 hours.

10 Q Did PFC Manning work in this cell?

11 A Yes, he did.

12 Q How would you describe PFC Manning as a
13 student at AIT?

14 A As a student he was very quiet, very
15 reserved. Did not have, that I saw at least in the
16 classroom, a lot of interaction with the other
17 students. He was very studious. Always full of
18 questions. It was, it actually got difficult at times
19 to continue with the instruction because he was always
20 asking well, why is this, what if, what's the meaning
21 behind something to better understand what we were

1 teaching.

2 Q At AIT did you ever counsel PFC Manning?

3 A Officially, no. Contractors are not
4 allowed to counsel. But I did sit in a counseling that
5 was done by a gray suit for him.

6 Q What was his counseling for?

7 A It was for a operational security
8 violation.

9 Q Can you explain that operational security
10 violation?

11 A Some students came to me and said sir, you
12 may want to check this out. There's a video on YouTube
13 with PFC Manning explaining what we're doing. So I
14 took that information to my tech guy. We pulled up the
15 video, verified that it was PFC Manning on the video
16 and then turned that material over to the OIC to
17 handle.

18 Q Can you describe -- did you watch this
19 video?

20 A I did.

21 Q Can you describe what this video consisted

1 of?

2 A Again, the majority consisted of Private
3 Manning's face and him kind of talking to the camera,
4 explaining what he was going through at the
5 schoolhouse. Some of the materials we would be
6 covering. Some of the base unclassified information
7 that we provided on day one was pretty much what he was
8 going through.

9 Q During this counseling session, what was
10 being taught, what was he told?

11 A That he would be performing an operational
12 security briefing for the classroom.

13 MR. WHYTE: No further questions, Your
14 Honor.

15 THE COURT: Cross?

16 CROSS EXAMINATION BY MR. HURLEY:

17 Q Let's talk about that video. The last
18 thing that you covered, Mr. Moul.

19 You were the first AIT instructor to see
20 this video?

21 A As far as I know, yes.

1 Q And it was posted to YouTube?

2 A Correct.

3 Q And you said it contained an image of PFC
4 Manning?

5 A He was in the video, yes.

6 Q Talking about his life at AIT?

7 A Correct.

8 Q And what he was studying there?

9 A What he was studying, what he would be
10 learning, yes.

11 Q And there were use of sensitive terms?

12 A It was all unclassified what he was saying.
13 There was no actual security violation in terms of
14 information security.

15 Q He used the term SCIF; is that right?

16 A Yes.

17 Q And he talked about the class schedule?

18 A Correct.

19 Q As you just indicated those are
20 unclassified items?

21 A Correct, they are unclassified.

1 Q At the time that, do you recall month and
2 year when this occurred, you saw the video and you went
3 through the process you just described?

4 A This was relatively early on in the cycle
5 so it would be towards the spring portion of it. If I
6 remember correct he graduated in August so this would
7 have been May, mid May timeframe.

8 Q So, at this time, PFC Manning had not
9 received the block instruction that you went over in
10 such detail with --

11 A Yes, he did.

12 Q He had received it at that point?

13 A Correct.

14 Q But he hadn't been given any classified
15 information?

16 A He had not been privy to classified at that
17 moment, no.

18 Q Mr. Moul, getting to this topic of AIT
19 instruction generally. There was a lot of information
20 over the course of that four-month period given to
21 these AIT students?

1 A Correct.

2 Q And you said you're a marine from 2001 to
3 2005?

4 A 2000 to 2005, yes.

5 Q In the Army sometimes Army instruction
6 comes with the caveat that it's like drinking water
7 from a fire hose. Have you ever heard that expression?

8 A Very familiar with the expression.

9 Q There was a lot of water coming out of this
10 hose. You would agree with that?

11 A I would, yes.

12 Q In fact, by last count I think he got up to
13 260 slides in a particular block of instruction?

14 A Correct.

15 Q Now, towards the end of your conversation
16 with Captain White you talked about your personal
17 observations of PFC Manning?

18 A Uh-huh.

19 Q And then you taught hundreds of AIT
20 students?

21 A Yes, I have.

1 Q And safe to say that you don't remember
2 them all?

3 A Not all of them, no.

4 Q But you do remember PFC Manning?

5 A Yes, I do.

6 Q And you remember his relationships with
7 fellow AIT students?

8 A I do. Yes.

9 Q To use your word, PFC Manning seemed like a
10 loner?

11 A Yes. Yes, he did.

12 Q And he appeared not to have many friends?

13 A Correct.

14 Q You also knew that PFC Manning was a butt
15 of jokes.

16 A Yes, I do.

17 Q And, in fact, he was the butt of jokes in
18 front of the whole class?

19 A Yes, he was.

20 Q To a point that you at one point had to
21 intervene and admonish the rest of the AIT students

1 that they should stop joking in this manner?

2 A Correct.

3 Q Let's get back to the video. You were
4 concerned about the video?

5 A Yes, I was.

6 Q And you directed your concerns to uniformed
7 members of the AIT staff?

8 A Yes, I did.

9 Q But it appeared that this, that Chief
10 Hess --

11 A Chief Hess.

12 Q That he wasn't going to do anything about
13 this?

14 A It appeared to me that he would do what he
15 wanted to and whether that meant actually punishing
16 Private Manning or letting it go, the decision was his.
17 I had done my duty, yes.

18 Q But you will thought something should be
19 done?

20 A I did think that at the very least a
21 counseling, a conversation should be held, hey, you

1 know, this is kind of approaching the topic you don't
2 want to do that, this could lead to bad things, don't
3 do it again kind of conversation.

4 Q And it was your idea that corrective
5 training be done?

6 A Yes.

7 Q And the corrective training was PFC Manning
8 would teach a class?

9 A Correct.

10 Q Now, this class was given?

11 A As far as I know, yes, it was.

12 Q You weren't present?

13 A I was not present for the class, no.

14 Q Now, just getting back to the time period
15 that this instruction that you went over with Captain
16 White was given, you said that must have occurred in
17 April or May of 2008?

18 A It would have been the very first day that
19 they were actually in the classroom for a full day,
20 yes.

21 Q So it was April of 2008?

1 A Correct.

2 Q And over the course of time, I guess, to --
3 I just want to use your expression correctly -- at the
4 time this block of instruction was still in the vetting
5 process?

6 A The entire period of instruction for
7 lessons 14.

8 Q This was in the verification and vetting?

9 A That was.

10 Q But operation and security was not?

11 A Correct. It had already been finalized.
12 What was taking place was doctrine was changing so
13 quickly down range with the two battles that we had
14 going on in Iraq and Afghanistan that the meat and
15 potatoes of the course, the IPB process, the ISR
16 portion of the school, the dissemination of
17 information, the briefing and research, all of lessons
18 3 through 13 were in such disarray and change and
19 doctrinal issues that we would have to every couple of
20 months attempt to update that in order to stay current
21 with what's going on.

1 Information security, there was really no
2 changes to that because it's based off of a doctrine
3 that been published for, I'm not sure of the
4 publication off the top of my head but it's been the
5 same for a few years now.

6 Q Sure.

7 A And there was no change to that part.

8 Q And at the time it was a three-day block of
9 instruction?

10 A Correct.

11 Q So you went through some instruction one
12 day?

13 A Uh-huh.

14 Q And then another day?

15 A Uh-huh.

16 Q And then the third day was the test?

17 A Correct.

18 Q One, two, three?

19 A Yes, sir.

20 Q And the instruction that you gave for this
21 block of instruction is you indicated Captain White,

1 this is the PowerPoint?

2 A It was the PowerPoint, yes.

3 Q Exclusively the PowerPoint?

4 A The instruction was from PowerPoint. It
5 would be me talking to slides or relaying the
6 information and materials were provided for reference
7 to it, yes.

8 Q Let's talk about WikiLeaks. WikiLeaks was
9 not mentioned in your instruction at all?

10 A Correct. I will be honest with you, I
11 never even heard the term WikiLeaks until I was
12 informed that the accused had been arrested for the
13 incident he's been accused of.

14 Q So it wasn't mentioned in terms of this is
15 a site where the enemy goes to get its information?

16 A Correct. WikiLeaks was not mentioned by
17 name.

18 Q Thanks.

19 MR. HURLEY: Nothing further.

20 THE COURT: Redirect?

21 MR. WHYTE: Give me five seconds, please.

1 REDIRECT EXAMINATION BY MR. WHYTE:

2 Q Just two questions for you, Mr. Moul. Were
3 students provided this PowerPoint in addition to your
4 instruction?

5 A They were provided a student copy of the
6 PowerPoints, yes.

7 Q During your instruction, did you mention
8 that the enemy uses the internet to collect
9 intelligence on the United States?

10 MR. HURLEY: Objection, leading.

11 THE COURT: Overruled.

12 A I'm sorry, say the question again, please.

13 Q Did you instruct the students that the
14 enemy uses the internet to collect intelligence on the
15 United States?

16 A We did, yes.

17 Q Thank you.

18 THE COURT: Anything else?

19 MR. HURLEY: No, ma'am.

20 THE COURT: Temporary or permanent excusal?

21 MR. WHYTE: Temporary, Your Honor.

1 THE COURT: Mr. Moul, you are temporarily
2 excused. Please don't discuss your testimony or
3 knowledge of the case with anyone other than counsel or
4 the accused while the trial is still going on.

5 THE PROSECUTION: United States calls
6 Mr. Brian Madrid.
7 Whereupon,

8 BRIAN MADRID,
9 called as a witness, having been first duly sworn to
10 tell the truth, the whole truth, and nothing but the
11 truth, was examined and testified as follows:

12 DIRECT EXAMINATION BY MS. OVERGAARD:

13 Q You are Brian Madrid of Buckeye, Arizona?

14 A Yes, ma'am.

15 Q What is your current military status,
16 Mr. Madrid?

17 A I'm active duty retired.

18 Q When did you retire from the military?

19 A 1 September 2010.

20 Q How long did you serve in the military?

21 A 22 years, 22 days.

1 Q What was your rank when you retired?

2 A Sergeant C Class 67.

3 Q What was your MOS?

4 A 35 tenure.

5 Q What does it mean 35 tenure?

6 A That is electronic warfare, intelligence
7 maintainer and integrator.

8 Q What does that mean?

9 A I work on preparing and deploying all the
10 military intelligence systems, network, I work on their
11 PDAs laptops, computers, things like that nature.

12 Q Did you do that for the entire 22 years and
13 22 days?

14 A Yes, I did.

15 Q What was your final position when you left
16 the military when you retired?

17 A I was AIT, which was Advanced Individual
18 Training platoon sergeant.

19 Q Where was that?

20 A At Fort Huachuca, Arizona.

21 Q What is AIT?

1 A Advanced Individual Training.

2 Q What is the purpose?

3 A The purpose of AIT is to give the newly
4 trained soldier out of basic training their career
5 training, their military occupational specialty
6 training.

7 Q What military occupational specialty or MOS
8 was being trained at the AIT where you worked?

9 A I was in charge of training 35 Foxtrots
10 which are military analysts.

11 Q And what type of training did you receive
12 (INAUDIBLE)?

13 A We had a month-long platoon sergeant's
14 training course in Arizona.

15 Q How long were you the platoon sergeant at
16 AIT?

17 A Roughly two years and four months.

18 Q Do you remember when that was?

19 A It was between February of '08 to June of
20 2010.

21 Q What were your responsibilities as the

1 platoon sergeant?

2 A My responsibilities were everything that
3 encompassed the soldier when they were out of the
4 schoolhouse. We ran ranges. I was responsible for
5 them from the time they woke up until the evening. I
6 arranged their appointments to make sure they got to
7 their appointments. Anything medical, inprocessing,
8 outprocessing. Everything that didn't encompass the
9 schoolhouse.

10 Q How many platoons have you had at AIT?

11 A I was involved with roughly eight.

12 Q Was the MOS of all of the soldiers the same
13 in all of those platoons?

14 A Yes, all 35 Foxtrots, military intelligence
15 analysts.

16 Q How many students were in each platoon?

17 A Before the surge it was anywhere from 140
18 to 180 after the surge it was 180 to 225.

19 Q Do you know the accused in this case?

20 A Yes, I do.

21 Q How do you know him?

1 A I was his AIT platoon sergeant.

2 Q Do you know when he attended the 35 Fox
3 AIT?

4 A In April to August of 2008.

5 Q And do you remember -- how do you remember
6 him out of the thousands of 35 Foxes you had at AIT?

7 A I had a couple discussions with him. He
8 was asking me about my job, 35 Tango, we were talking
9 about networking a couple of times and there was a
10 couple of times that I had to counsel him.

11 Q Was there anything significant about his
12 particular class?

13 A Significant in which -- oh, yeah. Well,
14 by, his class was actually my first, first class that I
15 had actually taken the reins on by myself.

16 Q And how often did you talk or how often did
17 you see him?

18 A Usually on a daily basis in either passing
19 in the hallway or in formation.

20 Q And how often did you interact?

21 A Possibly once a week if, you know, if I

1 didn't see him in the hallway or anything of the such.

2 Q Are you familiar with the instruction that
3 students receive at AIT?

4 A Yes, I am familiar.

5 Q How are you familiar with it?

6 A I, we were, after I took on being the
7 platoon sergeant, our commander ordered us to actually
8 attend some of the course classes that the students
9 were going through so we have a grasp of what they were
10 doing because most of us weren't 35 Foxtrots.

11 Q Did you attend classes in every course?

12 A Yes, ma'am.

13 Q Every cycle of students that went through?

14 A We were required to attend at least one
15 hour a week of class time.

16 Q What was the first class?

17 A The first class was information security or
18 INFOSEC.

19 Q At AIT did PFC Manning, did he ever need
20 any corrective training?

21 A Yes, he did, ma'am.

1 Q Do you remember what that was for?

2 A That was for, there was an incident where
3 he was posting videos on YouTube of, you know, personal
4 videos on YouTube. And he was giving, using buzz words
5 like top secret and classified materials, top secret
6 buildings and words like that.

7 Q Do you know where that video was filmed?

8 A It only saw one of the videos and it
9 appeared that he was in his barracks room at the time.

10 Q Were you concerned when you viewed the
11 video?

12 A Yes, it brought up a red flag.

13 Q Why was that?

14 A Because you're generally not supposed to
15 tell people that you have a top secret security
16 clearance or use buzz words like that over an open
17 source.

18 Q What happened after you saw the video?
19 What did you do?

20 A We brought Manning in. I did initial
21 counseling. I took the counseling up to the command

1 and they also notified the security personnel.

2 Q Did you do any sort of corrective training?

3 A Yes, after the incident went up to the
4 chain of command it came back down. Then I was
5 instructed to have him do some corrective training and
6 what I had him do is write a report. He presented me
7 with a slide show and report. And basically what we
8 would do, every Friday we would have a company
9 formation and he presented that at the Friday company
10 formation.

11 Q How do you remember all of that?

12 A It was my first time having to deal with
13 this type of thing. First and only time, really.

14 Q Let's start with the PowerPoint. What was
15 the PowerPoint on?

16 A It was on information security.

17 Q And do you remember when the accused gave
18 you the PowerPoint portion of the corrective training?

19 A It was around 11 June 2010. I'm sorry,
20 excuse me, 2008.

21 Q Okay. How do you know it was 11 June?

1 A Because it was, he had to give the
2 presentation on the 13th of June. It was the Friday,
3 that's where our Friday formation was going to be.

4 Q Would you remember that PowerPoint again if
5 you saw it?

6 A Yes, ma'am.

7 MS. OVERGAARD: Retrieving prosecution
8 Exhibit 25 for identification.

9 BY MS. OVERGAARD:

10 Q Do you recognize that?

11 A It looks familiar, ma'am. Yes, I do.

12 Q And how do you recognize it?

13 A Because it was the one that Private Manning
14 had presented to me.

15 Q So do you know if he prepared it or not?

16 A I am, to my knowledge he did, if he
17 prepared -- it was the one presented to me. It was
18 supposed to be. It was indicated in the counseling
19 that it was supposed to be original work, so.

20 Q What's the date on that document?

21 A Friday, 13 June 2008.

1 Q Whose name is on the front of it?

2 A Private Manning Bradley.

3 Q Is that an accurate representation of the
4 PowerPoint that you remember him giving you at AIT?

5 A Yes, ma'am.

6 MS. OVERGAARD: Your Honor, we offer into
7 evidence Prosecution Exhibit 25 for identification as
8 Prosecution Exhibit 25.

9 MR. COOMBS: No objection.

10 THE COURT: May I see it, please?

11 Prosecution Exhibit 25 for identification
12 is admitted.

13 MS. OVERGAARD: Permission to publish,
14 ma'am?

15 THE COURT: Go ahead.

16 BY MS. OVERGAARD:

17 Q What was the corrective training brief
18 called?

19 A Operations security, ma'am, which is OPSEC.

20 Q And what topics did that briefing cover?

21 A The definition of OPSEC, types of OPSEC

1 information, common OPSEC violations, protections from
2 adversaries and a conclusion.

3 Q And how did the accused define OPSEC for
4 you in the definitions?

5 A It defined it, he defined it as operation,
6 protection of information which includes information on
7 public assets, military assets, personnel, families of
8 personnel and matters of national security.

9 Q What types of information needed to be
10 protected according to the slide slow?

11 A Unclassified would be dates, times,
12 locations and names, and FOUO, for official use own.
13 Mission of critical information capabilities and
14 vulnerabilities.

15 Q Was that during (INAUDIBLE)?

16 A Yes, ma'am.

17 Q What does this slide tell us?

18 A It tells us that I guess he's trying to
19 express the dates and times of certain events and
20 information about certain events such as large groups,
21 public, military personnel, Department of Defense

1 civilians, contractors, officials which include high
2 ranking NCOs, commanders, VIPs which include
3 politicians and diplomats. That the dates and times of
4 their schedule should be kept confidential or not
5 disclosed to the general public in order for security
6 purposes.

7 Q And was that taught at AIT?

8 A Yes, ma'am.

9 Q What does this slide tell us?

10 A That the location of information should be
11 of government facilities to include public buildings,
12 government agencies, military installations which
13 include the security facilities on the installations,
14 weapons and equipment, training locations and barracks
15 should be kept confidential or non-disclosed from
16 enemy, from the public, general public for security
17 concerns.

18 Q Was that also taught at AIT?

19 A Yes, ma'am.

20 Q How about the next slide?

21 A Individual information, personal

1 information such as names, date of birth, addresses,
2 Social Security numbers, credit information and family
3 members shall also be kept confidential and not
4 released to the public.

5 Q Was that also taught at AIT?

6 A Yes.

7 Q How about this slide?

8 A Official information such as methods that
9 we use to gather intelligence, equipment we use which
10 are weapons, vehicles, our capabilities of those
11 weapons and vehicles, our vulnerabilities and general
12 mission critical information should not be disclosed.

13 Q Was that taught at AIT as well?

14 A Yes, ma'am.

15 Q What does this slide talk about?

16 A Adversaries, possible adversaries to the
17 U.S. Government which would be foreign governments
18 which are rivals and enemies. Nongovernment
19 organizations such as corporations, political groups,
20 terrorists. And anyone, you know, general public which
21 are activists and hackers are people that can be a

1 threat to the U.S. Government.

2 Q Was this taught to the accused as well?

3 A Yes, ma'am.

4 Q And before this brief?

5 A Yes, ma'am.

6 Q How about the next slide?

7 A Common OPSEC leaks are, he's expressing the
8 written sources such as newspapers and magazines can be
9 a leak, television, which include news programs and
10 documentaries can be a leak and especially the internet
11 due to the nature of our world, the technological
12 nature of our world they have discussion boards, chat
13 rooms, social networking and videos. All of these can
14 be avenues of leaking information.

15 Q Is that also taught at AIT?

16 A Yes, ma'am.

17 Q Finally the next slide, what was PFC
18 Manning's conclusion on his PowerPoint?

19 A To conclude he would avoid disclosure of
20 information through public conversations, because you
21 can be heard. To avoid, watch what you say to

1 journalists, watch what you post as far as information
2 goes on newsletters, flyers and especially the
3 internet. Use common sense because we have many
4 enemies and we also have a free and open society.

5 Q Is that what 35 Foxes were taught at AIT?

6 A Yes, ma'am.

7 Q Did you have any questions for PFC Manning
8 after he gave you the PowerPoint?

9 A Generally I wanted to know that he
10 understood what he was being, what he was receiving
11 corrective training and if he understood the material
12 and I truly believed that he was, that this isn't an
13 avenue that he wants to go down, that this, that
14 classified and confidential material should be
15 safeguarded.

16 Q And did he tell you whether or not he
17 understood?

18 A Yes, ma'am.

19 Q What did he say?

20 A He said I understood and it won't happen
21 again.

1 Q Did it happen again?

2 A I believe so. That's why we're here right
3 now, ma'am.

4 Q Did he have any other INFOSEC violations at
5 AIT?

6 A Not that I'm aware of, not that I had to --

7 Q And did, you mentioned the presentation in
8 front of the company as well?

9 A Yes, ma'am.

10 Q What information did that cover?

11 A It covered, it was a general, it was pretty
12 much this class right here. It was, you know, watered
13 down a little bit because he didn't have the slides
14 available because it was an outdoor environment. But
15 he gave the gist of the briefing.

16 Q And he also mentioned a report. What was
17 covered in the report?

18 A It was just a little report. He expanded
19 on what we had discussed, he had discussed in his, in
20 his slide show.

21 Q Okay.

1 A Because that was what he was supposed to
2 give me is a report but he chose to give me a slide
3 show also.

4 Q Okay. All right. Thank you.

5 A Yes, ma'am.

6 THE COURT: Cross-examination?

7 MR. COOMBS: Yes, Your Honor.

8 CROSS EXAMINATION BY MR. COOMBS:

9 Q Mr. Madrid, how are you?

10 A Fine, sir. How are you?

11 Q Not too bad.

12 As the platoon sergeant you said you had
13 anywhere from a low of a hundred up to 200 soldiers in
14 each platoon; is that correct?

15 A Not every platoon, but around Manning's
16 time I think my number was 140.

17 Q And the coursework was a 16-week,
18 three-day, right?

19 A Yes, sir.

20 Q And obviously they spent part of that AIT
21 instruction in the classroom?

1 A Yes, sir.

2 Q And part of that in the field?

3 A Yes, sir.

4 Q Now, the coursework that was done in the
5 classroom you say you sat in on a couple of the hours
6 of the course?

7 A Yes, sir.

8 Q You didn't sit on all of the hours?

9 A Not all the hours, sir.

10 Q When a student got done with his coursework
11 and graduated, they were the lowest level analyst that
12 you could be at that point; is that right?

13 A That's a fair assessment.

14 Q And basically any expertise that they might
15 develop as an analyst would be developed at their
16 follow-up assignments?

17 A That's a good assessment.

18 Q Now, let's talk about the video. During
19 AIT PFC Manning posted a few family and friend videos
20 on YouTube, right?

21 A Yes, sir.

1 Q And you only watched one of those videos?

2 A Yes, only one of them was viewable at the
3 time.

4 Q Wasn't it because you only saw one because
5 YouTube was blocked by your government computer?

6 A YouTube was blocked by the government
7 computer but the way we viewed it is another student
8 brought in his personal laptop to show us the video.

9 Q You had to borrow a computer from one of
10 the students to see the video?

11 A Yes, sir.

12 Q Then you showed the video to Captain
13 Ogletree?

14 A Yes, sir.

15 Q The video did not talk about any classified
16 information?

17 A No. And he didn't disclose any classified
18 information.

19 Q He didn't talk about any operational
20 security type information?

21 A No. Well, he did because he gave his

1 schedule out. He was giving his daily schedule out
2 to --

3 Q What do you recall from the daily schedule
4 part? What did he say?

5 A When he went to breakfast, when he went to
6 school, when he came home from school.

7 Q Just going to breakfast and school, that
8 was operational security?

9 A Well, it was operational, operational
10 information.

11 Q All right. Was that classified?

12 A It was not classified.

13 Q This video was from PFC Manning to his
14 friends and family, right?

15 A I believe so. I don't know what the
16 intended audience for that video was.

17 Q In addition to talking about breakfast
18 times and going to class, he also talked about life in
19 the barracks?

20 A Yes, sir.

21 Q He talked about marching to class?

1 A Yes, sir.

2 Q Talked about how hard PT was?

3 A Yes, sir.

4 Q And in the video there was a word SCIF and
5 top secret. He used the words top secret?

6 A Yes, sir and security clearance.

7 Q He didn't actually, as we discussed,
8 discuss anything top secret. He used that word?

9 A He was using the buzz words.

10 Q And those buzz words alone are not
11 classified?

12 A They're not classified.

13 Q Based on the video you thought corrective
14 training would be appropriate?

15 A Yes, sir.

16 Q And you said that he did this video, excuse
17 me, the PowerPoint presentation?

18 A Yes, sir.

19 Q Was that done to the whole class?

20 A No, it was not given -- his, he gave a
21 verbal presentation. He did not -- because he were

1 outside he didn't have the ability to present his
2 PowerPoint presentation.

3 Q So he gave that PowerPoint presentation
4 just to you?

5 A Yes, sir.

6 Q And then the verbal presentation to the
7 class, that was about five minutes, right?

8 A Roughly five on seven.

9 Q Okay, five to seven minutes?

10 A Yes, sir.

11 Q And that was without the benefit of the
12 PowerPoint?

13 A Yes, sir.

14 Q Now, in there, you know, I looked, you see
15 the PowerPoint presentation. Nowhere in there does it
16 talk about places where we have knowledge that the
17 enemy goes to, correct?

18 A Would you reask?

19 Q Does it list any particular web sites that
20 we have actual knowledge that the enemy goes to?

21 A No, it does not.

1 Q From your knowledge, did they instruct as
2 to particular web sites that the enemy actually went
3 to?

4 A No, they didn't. Not to my knowledge.

5 Q Now, after doing the five minute class,
6 five to seven minute class, PFC Manning was allowed
7 then to continue with the course?

8 A Yes, sir.

9 Q And he ultimately graduated?

10 A Yes, sir.

11 Q Mr. Madrid, I thank you for your service
12 and thank you.

13 A Thank you very much, sir.

14 THE COURT: Redirect?

15 MS. OVERGAARD: No, ma'am.

16 THE COURT: Temporary or permanent excusal?

17 MS. OVERGAARD: Temporary.

18 THE COURT: Mr. Madrid, you are temporarily
19 excused. Please do not discuss your testimony with
20 anyone other than counsel or the accused while the
21 trial is still going on.

1 THE WITNESS: Yes, ma'am.

2 THE COURT: Counsel, how are we doing? Do
3 we need a brief recess?

4 THE PROSECUTION: We're good to continue.

5 THE DEFENSE: Defense is fine.

6 THE COURT: Proceed.

7 Call your next witness.

8 THE PROSECUTION: Your Honor, at this point
9 United States offers on the record one stipulation of
10 expected testimony. This is prosecution Exhibit No.
11 36.

12 Stipulation of expected testimony of Staff
13 Sergeant Alejandro Marin, dated 30 May, 2013.

14 It is hereby agreed by the accused, defense
15 counsel and trial counsel that if Staff Sergeant
16 Alejandro Marin were present to testify during the
17 merits and presentences of this court-martial he would
18 testify substantially as follows: Number one, I, Staff
19 Sergeant Alejandro Marin, am currently deployed to
20 Afghanistan as a counterintelligence analyst in the G2
21 intelligence section for the 333 military police

1 brigade. My military occupation specialty MOS is 35
2 Lima, counterintelligence agent. My responsibilities
3 in this position include gathering technical
4 information in our area of operation.

5 Number two, from 2002 to 2006 I was
6 enlisted in the United States Marine Corps with an MOS
7 of infantry. In July 2007, I enlisted in the United
8 States Army Reserve with an MOS of 11 Bravo infantry.

9 In early 2008, I reclassified with an MOS
10 of 35 Foxtrot, all-source intel analyst. From
11 April 2008 until August 2008, I attended the
12 intelligence analyst course at Advanced Individual
13 Training, AIT, in Ft. Huachuca, Arizona. I was
14 assigned to 305th military intelligence battalion.

15 Number three, PFC Manning and I attended
16 AIT together. PFC Manning and I were in all of the
17 same classes together at AIT and received the same
18 instruction. The class consisted of approximately 20
19 to 25 students, two of whom were PFC Manning and me. I
20 interacted with PFC Manning on a daily basis. Troy
21 Moul was our AIT instructor.

1 Number four, at AIT I was trained on
2 pattern analysis, which is the study of enemy's
3 tactics, techniques and procedures, TTPs, to determine
4 any patterns in any activity. I was also trained on
5 how to collect intelligence products and how to map any
6 activity as part of pattern analysis. I was also
7 trained extensively on the use of significant
8 activities, SigActs, which are stored in the Combined
9 Information Data Network Exchange, CIDNE, database on
10 the security internet protocol router network, SIPRNET,
11 a classified network.

12 I was also trained that SigActs consist of
13 troop location, improvised explosive devices, IED
14 attacks and assassinations. Initially I was trained on
15 how to research, review and pull SigActs and plot them
16 on a map for pattern analysis.

17 Number five, at AIT I was trained on a
18 targeting process. I was also trained on how to
19 collect information on high value targets, HVT, to clue
20 which databases to use and what type of information is
21 helpful to the targeting process.

1 I was also trained that the intelligence
2 that we provided on these HVTs may be employed to carry
3 out military operations to capture these persons.

4 During this instruction I was also trained
5 on how to use intel link, a search engine on the
6 SIPRNET similar to Google.

7 Number six at AIT I was trained on
8 information security, INFOSEC. I was also trained on
9 the meaning of classification to include the different
10 levels of classification.

11 Specifically I was trained that the
12 unauthorized disclosure of the information classified
13 at the secret level reasonably could be expected to
14 cause serious damage to the national security and that
15 the unauthorized disclosure of information classified
16 at the confidential level reasonably could be expected
17 to cause damage to national security.

18 I was also trained on the meaning of
19 information marked For Official Use Only, FOUO. I was
20 also trained to properly mark not only classified
21 documents at the top and bottom of each document but

1 also classified media devices with the approved label.

2 I was further trained that we had a
3 personal responsibility to safeguard classified
4 information.

5 I was also trained access to classified
6 information is limited to those persons with the proper
7 security clearance, a signed Non-Disclosure Agreement
8 and a need to know.

9 I was also trained how to store, transmit
10 and otherwise handle classified information consistent
11 with Army Regulations at 380-5.

12 Number seven, at AIT I was trained on
13 operational security, OPSEC. I was trained not to
14 publicly disclose anything that could be useful to our
15 adversaries, both foreign and domestic.

16 I was also trained on the dangers of
17 putting information on the internet, to include social
18 media web sites.

19 I was also trained on how the enemies of
20 the United States including al-Qaeda, use the internet
21 by searching web sites for many purposes such as to

1 collect intelligence on the United States and for use
2 as propaganda and as a recruiting tool.

3 I was trained that OPSEC applies to
4 unclassified information, such as information relating
5 to training schedules and unit moral. At AIT I was
6 aware that PFC Manning had to give a five minute brief
7 on OPSEC.

8 Number eight, with regards to Bates Nos.
9 00007351 through 00007426, 00007450 through 00007586,
10 00007629 through 00007789, 00007983 through 00008087,
11 00008152 through 00008288, 00008331 through 00008522,
12 00008853 through 00009046, 00009802, 00001037 and
13 000010722 through 000010843, I have reviewed all of
14 these slides.

15 The formatting of the slides is very
16 recognizable to me.

17 As I reviewed the slides, my memory makes
18 me believe that these were the slides that were given
19 to us at AIT. The slides were multiple classes and one
20 presentation. To the best of my knowledge, these
21 slides appear to be the ones used for our classes

1 because of the formatting and content contained in the
2 slide show.

3 I remember being trained on the content of
4 these slides at AIT such as memorizing the (INAUDIBLE)
5 mnemonic device at Bates No. 00010767.

6 However, I cannot say for certain that
7 these are the actual slides or the actual information
8 from the slides given to us due to the length of time
9 that has gone by. It has been five years since I have
10 seen the slides.

11 I also cannot say for certain that these
12 are the slides because not all of the slides were used
13 in all of the classes due to time constraints or class
14 being shortened.

15 At a minimum, these slides are very similar
16 to the slides I received at AIT.

17 Number nine, at AIT, PFC Manning
18 participated in a field training exercise, FTX, during
19 which PFC Manning created various intelligence products
20 such as targeting packets on high value targets. I was
21 a team leader during this FTX and had the opportunity

1 to review PFC Manning's work product, PFC Manning's
2 strengths including computer-related tasks such as
3 pulling data from databases, container intelligence
4 products.

5 Number 10, I was an all-source intelligence
6 analyst for approximately four years. In 2012 I
7 reclassified with an MOS of 35 Lima,
8 counterintelligence agent.

9 Again, Your Honor, that's prosecution
10 Exhibit No. 36.

11 Your Honor, the United States calls Staff
12 Sergeant Robert Thomas.

13 Whereupon,

14 STAFF SERGEANT ROBERT THOMAS,
15 called as a witness, having been first duly sworn to
16 tell the truth, the whole truth, and nothing but the
17 truth, was examined and testified as follows:

18 DIRECT EXAMINATION BY MR. WHYTE:

19 Q You are Staff Sergeant Robert Thomas?

20 A Yes, I am, sir.

21 Q What is your current position?

1 A I'm a staff sergeant in the SASMO at Ft.
2 Hood, Texas, sir.

3 Q What is the SASMO?

4 A It's a logistical IT position.

5 Q And what are your responsibilities in that
6 position?

7 A Basically, sir, I am a individual who has
8 leadership over the section of IT guys.

9 Q And where are you currently stationed?

10 A Ft. Hood, Texas.

11 Q And how long have you been in the Army?

12 A Approximately 19 years and eight months.

13 Q And what was your MOS when you enlisted?

14 A It was 95 Bravo which was a military police
15 at that time.

16 Q And how long were you a military police?

17 A Sir, approximately 12 years.

18 Q And what happened after those 12 years?

19 A After those 12 years I went to become a
20 recruiter, National Guard. And after that, sir, I
21 became 35 Fox or went to the school in Ft. Huachuca.

1 Q How long were you a National Guard
2 recruiter?

3 A I was a National Guard recruiter for
4 approximately three years.

5 Q And after that you went to the AIT for the
6 35 Fox school?

7 A That is correct.

8 Q What is a 35 Fox?

9 A A 35 Fox is a analytical --

10 Q Intel analyst?

11 A Yes, basically.

12 Q And do you remember what battalion you were
13 assigned to at AIT?

14 A Yes, sir. (INAUDIBLE) Company 305MI.

15 Q And Staff Sergeant Thomas, what is your
16 current MOS?

17 A My current MOS is 92 Alpha logistical
18 specialist.

19 Q So let's talk about your time at AIT. When
20 did you attend AIT?

21 A Which AIT, sir?

1 Q For 35 Fox.

2 A That would be March, April 2008 to about
3 August 2008 and I continued through January '09.

4 Q And where did you attend this AIT for 35
5 Fox training?

6 A I attended Ft. Huachuca, Arizona.

7 Q What was your rank at this time?

8 A I was a staff sergeant.

9 Q What leadership responsibility did you have
10 at AIT?

11 A The leadership responsibility is, I had the
12 accountability and discipline of the young soldiers,
13 AIT soldiers while being in class.

14 Q Were you the class leader of your class?

15 A Yes, sir.

16 Q And you were responsible for accountability
17 of those 20 to 25 students?

18 A Yes, sir, when the platoon sergeant was not
19 around.

20 Q And how do you know PFC Manning?

21 A PFC Manning was one of the individuals

1 directly in the classroom with me and sat about two
2 chairs in front of me.

3 Q Do you remember PFC Manning in the class?

4 A Yes, sir, I do.

5 Q And again, you were in charge of
6 accountability for all of the soldiers?

7 A Yes, sir.

8 Q How often, to your memory, was PFC Manning
9 in class?

10 A I remember Manning being in class every day
11 that I was in class.

12 Q Thank you, sir.

13 No more questions.

14 MR. HURLEY: No cross.

15 THE COURT: Temporary or permanent excusal?

16 MR. WHYTE: Permanent, Your Honor.

17 THE COURT: I just have one question.

18 EXAMINATION BY THE COURT:

19 Q You said you remember PFC Manning was in
20 class every day you were in class. Do you remember how
21 often you were absent?

1 A No, ma'am. I went just about every day. I
2 remember going every day.

3 THE COURT: Any follow-up based on that?

4 MR. HURLEY: No, ma'am.

5 MR. WHYTE: No, ma'am.

6 THE COURT: You are temporarily (sic.)
7 excused.

8 Please don't discuss your testimony or
9 knowledge of the case with anyone other than counsel or
10 the accused while the trial is still going on.

11 MR. WHYTE: Ma'am, the United States asks
12 for a 15-minute comfort break.

13 THE COURT: Any objection?

14 MR. HURLEY: No, Your Honor, but we also
15 have (INAUDIBLE).

16 THE COURT: Why don't I do this, let's put
17 the court in recess until 1600 or 4:00 and come see me
18 in my chambers briefly.

19 Court is in recess.

20 (Brief recess.)

21 THE COURT: Let the record reflect all

1 parties are present as when the court last recessed.

2 Is the government ready to proceed?

3 THE PROSECUTION: We call José Anica.

4 Whereupon,

5 SERGEANT FIRST CLASS JOSÉ ANICA,

6 called as a witness, having been first duly sworn to

7 tell the truth, the whole truth, and nothing but the

8 truth, was examined and testified as follows:

9 DIRECT EXAMINATION BY MR. WHYTE:

10 Q Your name is Sergeant First Class Jose
11 Anica?

12 A Correct.

13 Q What is your current position?

14 A I am a security NCO with the D2 section of
15 the Brigade Modernization Command.

16 Q Where are you currently stationed?

17 A Ft. Bliss, Texas.

18 Q What are your responsibilities in that
19 position?

20 A I am personnel security clearance, physical
21 security and operations security.

1 Q What is your MOS?

2 A I'm a 35 Fox --

3 Q An all-source intelligence analyst?

4 A An all-source intelligence analyst.

5 Q How long have you been a 35 Fox?

6 A Since May of 2006.

7 Q What was your MOS before you became a 35
8 Fox?

9 A Medical laboratory technician 91-kilo at
10 the time and now 68-kilo.

11 Q How long were a 91-kilo?

12 A Approximately four and a half years.

13 Q How long have you been in the military?

14 A 13 years in July, sir.

15 Q So let's talk about a 35 Fox.

16 What training did you receive to become a
17 35 Fox?

18 A I had to do advanced (INAUDIBLE) training
19 at Ft. Huachuca for five and a half months.

20 Q When did you graduate?

21 A May of 2006.

1 Q What was your first assignment out of AIT?

2 A Ft. Drum, New York.

3 Q What brigade?

4 A 7th Brigade, 10 Mountain Division.

5 Q Let's talk about your time at Ft. Drum.

6 What was your position when you arrived at Ft. Drum?

7 A I arrived as an intelligence sergeant and
8 then I became analysis control team, this CO.

9 Q What happened when you arrived at Ft. Drum?

10 A I had basically 35 days to prepare for
11 deployment to Iraq.

12 Q So you deployed to Iraq?

13 A I did.

14 Q For how long was that deployment?

15 A It was 15 months total.

16 Q So when did you redeploy back to Ft. Drum?

17 A Got back to Drum November of 2007.

18 Q How do you know PFC Bradley Manning?

19 A He worked S2 section of the 2nd brigade.

20 Q When did PFC Manning arrive at Ft. Drum?

21 A It was 2008 September.

1 Q And when PFC Manning arrived where was 2nd
2 Brigade scheduled to deploy?

3 A Getting ready to go to the Afghanistan,
4 sir.

5 Q What was PFC Manning's MOS when he arrived?

6 A 35 Fox.

7 Q What section did he work in?

8 A S2 section.

9 Q What section did you work in?

10 A S2 section.

11 Q How often did you interact with PFC
12 Manning?

13 A On a daily basis, sir.

14 Q What was your position when PFC Manning
15 arrived?

16 A I was acting team leader and squad leader
17 for the section S2.

18 Q Were you the team leader of PFC Manning?

19 A I was, sir.

20 Q What was your responsibilities in that
21 position as team leader?

1 A I had the responsibility of accountability,
2 formation and physical training and also intelligence
3 training as well.

4 Q What was PFC Manning's position in the S2
5 section?

6 A He was an intelligence analyst.

7 Q What were his responsibilities?

8 A His responsibilities were what any other
9 intelligence analyst would be doing, intelligence
10 finished products pertaining to for in our instances
11 getting ready for deployment.

12 Q What networks did PFC Manning have access
13 to at Ft. Drum?

14 A The unclassified network and the secret
15 network.

16 Q What was the secret network?

17 A The SIPR, the SIPRNET allows you to get
18 access to the secret network.

19 Q Are you familiar with the work product that
20 PFC Manning did on the SIPRNET?

21 A Yes, sir.

1 Q What type of work product did he do on the
2 SIPRNET at Ft. Drum?

3 A At Ft. Drum we basically taught him how to
4 create two or three slides finished product with his
5 own assessment of stuff that he had ready that directly
6 related to the area of operations we were headed to.

7 Q Which was Afghanistan?

8 A Yes.

9 Q What type of information was included in
10 these one or two slides?

11 A Significant activities. IED, improvised
12 explosive devices. Vehicle-borne suicide bombers,
13 political assassinations, kidnappings, things of that
14 nature. Things that was significant in the area of
15 operations we were going to.

16 Q And how often did PFC Manning use the
17 SIPRNET at Ft. Drum?

18 A Weekly, at least once or twice a week, sir.

19 Q What were some of his strengths as a 35
20 Fox?

21 A He was able to data mine quickly. Pull a

1 lot of information whenever we needed him to.

2 Q Can you explain what data mining is?

3 A Yes, data mining is what we call basic
4 search. Like if you and I were to go to Google and
5 search for hotels in Maryland, a thousand hits would
6 come up, but as an analyst we data mine through all of
7 those hits and figure out which ones are relevant to us
8 and that's the step of a data mine.

9 Q You said at this time you were still geared
10 up for deployment to Afghanistan?

11 A Yes, sir.

12 Q What predeployment training did you --

13 A Joint Readiness Training Center in
14 Fort Polk (INAUDIBLE).

15 Q That's JRTC?

16 A Yes.

17 Q What's the purpose of JRTC?

18 A It's for the beginning combat team to be
19 evaluated, basically in order to be ready for combat.

20 Q What was the focus at that point?

21 A It was Afghanistan, sir.

1 Q When was JRTC?

2 A For us it was November 2008.

3 Q And where was it?

4 A Fort Polk Louisiana.

5 Q Do you remember how long JRTC was?

6 A It was around 24 days total, sir.

7 Q And JRTC what section did you work in?

8 A I worked in S2.

9 Q And what is S2 intelligence?

10 A S2 is intelligence shop.

11 Q And what section did PFC Manning work in?

12 A The intelligence shop, S2 as well.

13 Q Did PFC Manning attend JRTC for the entire
14 time?

15 A Yes, sir.

16 Q How often did you interact with PFC Manning
17 at JRTC?

18 A On a daily basis.

19 Q Are you familiar with the work product that
20 he created?

21 A Yes, sir.

1 Q What was the work schedule at JRTC?

2 A We ran 24 hour operations which basically
3 meant that the soldiers would have 12 hour shifts so we
4 all had 12 hour shifts.

5 Q Can you describe the type of work that PFC
6 Manning did at JRTC?

7 A Yes. He was one of our intelligence
8 analysts so we had him do data mining, data mining of
9 signature activities in our area of operations, in this
10 case it was JRTC. So we had him doing a lot of
11 research. His job was to give us the information.

12 Q And what type of data was he pulling for
13 the S2 shop?

14 A A lot of information related to attacks
15 that the insurgency was doing. So it dealt with IEDs,
16 small arms fire, indirect fire, things like that.

17 Q So what type of information relating to
18 IEDs would PFC Manning pull for you all?

19 A We were trying to get him to give us
20 timelines, when they were occurring, how often, where,
21 so we could build pattern analysis and see if we could

1 target them, part of the targeting cycle.

2 Q What is pattern analysis?

3 A Pattern analysis is basically you're trying
4 to establish a modus operandi. You're trying to figure
5 out when, for example, IEDs are being in place, so we
6 could target a certain IEDs cell, we know exactly where
7 and when to hit him.

8 Q What happened after the 24 days of JRTC?

9 A We came back to Ft. Drum and got ready,
10 continuing to deploy to Afghanistan.

11 Q Let's talk about some of the training that
12 you all received at Ft. Drum. Specifically computer
13 training. What computer systems or regimes did
14 intelligence analysts use to gather intelligence?

15 A The system was the D6-A system.

16 Q So what is the purpose of a D6 machine?

17 A It was a tool that the (INAUDIBLE) were
18 given to do our finished products. We do data mining
19 on it. We use the tools in the D6 to complete our
20 products.

21 Q Can you explain for the court how a user

1 uses the D6 machine?

2 A Yes. A analyst would have to log into the
3 system and open up the multifunction workstation and
4 once that's opened up, then you would connect to the
5 SIPR, to the secret network.

6 Then you would have the option to do a
7 query search, based on what you were looking for. On
8 the left-hand side you would have databases that you
9 would have access to. You click on a box and make sure
10 that it's highlighted and you know you're running a
11 query in that database. You can click as many as you
12 want and unclick as many as you want and that will
13 facilitate your search. You hit search and depending
14 on how many databases are hit, it will come up with a
15 list and finish your data mining set that way.

16 Q Did PFC Manning use the D6 machine?

17 A Yes, sir.

18 Q Did he have an account on the D6 machine?

19 A As far as I know, yes, sir.

20 Q What training was required in order to
21 receive a D6 account?

1 A Before I received an account with the D6 I
2 had to go through a two-week course. It was provided
3 as a mobile training team to Ft. Drum. It was a
4 two-week straight, eight hour a day, five days a week
5 course.

6 Q What type of training was included in this
7 course?

8 A This training was directly related to what
9 we call button knowledge, buttonnology. If you click
10 on this, this will happen, if you select this, this
11 will happen.

12 Q Let's talk about some of the hands-on
13 training that PFC Manning received at Ft. Drum.

14 What (INAUDIBLE) in the S2 shop was PFC
15 Manning scheduled to work in?

16 A The fusion cell.

17 Q Can you describe the fusion cell?

18 A The fusion cell is basically, fuses
19 intelligence from different disciplines be it human
20 intelligence, signals intelligence, enemy intelligence
21 and they all come to us in the fusion cell and it's our

1 job to make sense out of all that information, create a
2 final product to give the commander in the S2.

3 Q What simulated environment did you create
4 to train PFC Manning on how to do analysis?

5 A Myself and Staff Sergeant Cunningham we
6 created a training program ourselves, basically we use
7 the format that you would use in theater. Of course
8 the information was made up, it's all unclassified for
9 training purposes only. It was the analyst's job, Jr.
10 analyst to come in and read the reports and try to pick
11 out the highlights, find out where the bad guys are,
12 put on a map and brief (INAUDIBLE) testing skills.

13 Q Pattern analysis?

14 A That's a form of pattern analysis
15 essentially.

16 Q What training was PFC Manning provided on
17 what was happening in the AO?

18 A Yes, sir. Inside our little vault we had a
19 connection to the secret internet, the SIPR, excuse me,
20 and we would log on and we were able to log into the
21 operation (INAUDIBLE) knowledge center and we would

1 click to specific areas of operation that we were
2 headed to. We would open out finished reports and
3 products from there.

4 Q What type of reports would PFC Manning
5 read?

6 A Those types of reports were usually
7 intelligence summary, graphic intelligence summary,
8 assessments from intelligence units that were already
9 in theater.

10 Q What type of reporting is included in these
11 intelligence summaries?

12 A A lot of it was signature activities,
13 vehicle borne IDs, assessments on pattern analysis,
14 assessments on the enemy in the area, political figures
15 that were friendly or not friendly in the area. That
16 type of things.

17 Q By signature activities, you mean SigActs
18 in the CIDNE database?

19 A Absolutely.

20 Q What was the classification level of these
21 reports?

1 A They were either C print or unclassified,
2 sir.

3 Q What would PFC Manning do with these
4 intelligence reports?

5 A It was his job to combine that information
6 and pick out the most relevant, the most important data
7 and then create his two slide PowerPoint presentations
8 to be able to brief the S2.

9 Q Would he ever back brief you on any of
10 these reports?

11 A He back briefed me a couple times yes, sir.

12 Q How often did he generally back brief his
13 supervisors?

14 A It became a requirement once a week.

15 Q And what type of events in the AO was PFC
16 Manning briefing on?

17 A It was anything having to do with, that was
18 significant for that week. You know, he would --
19 vehicle borne IEDs were a big thing, suicide bombers
20 were still a low threat in Afghanistan. Things that
21 were obviously important is what he would brief.

1 Q What formal training were intelligence
2 analysts provided by the counter IEDs?

3 A For us, we actually had a mobile training
4 team come to Ft. Drum as well and give us a course
5 taught by joint IEDs (INAUDIBLE).

6 Q What did it consist of?

7 A It was a three day course. It was designed
8 to teach the analysts what they did, show us the
9 finished product so that when we needed help finding
10 about IEDs, IEDs cells in a certain area we would
11 request information from them. They taught us how to
12 request information. Taught basically what we needed
13 to ask for so whenever it was time for us to ask for
14 those things, they would be able to give us a product.

15 THE COURT: I'm going to stop you there for
16 a minute. You're talking about you're asking somebody
17 for these things. Who?

18 THE WITNESS: It's the joint (INAUDIBLE)
19 network. Part of the counteroperations center.
20 They're CONUS-based but they can help us support in
21 theater for CONUS. Yes, ma'am.

1 BY MR. WHYTE:

2 Q When did this training take place?

3 A December 2008.

4 Q Did PFC Manning receive this training?

5 A I believe so, yes.

6 Q Did you deploy with 2nd brigade to
7 Afghanistan with PFC Manning?

8 A Not with PFC Manning. No, no, sir.

9 Q What happened?

10 A I reenlisted at station of choice and PCS,
11 permanent change of station.

12 MR. WHYTE: No further questions.

13 THE COURT: Cross-examination?

14 CROSS EXAMINATION BY THE DEFENSE:

15 Q Mr. Anica, I have a few questions for you
16 about PFC Manning's student performance.

17 A Yes, sir.

18 Q You were PFC Manning's squad leader for
19 almost a year?

20 A Roughly. Actually it was between September
21 and June so that's like nine months.

1 Q Of --

2 A Between 2008 and 2009.

3 Q And you obviously got an opportunity to, at
4 that point, view his student performance?

5 A Yes, sir.

6 Q And as his squad leader you also were
7 responsible for counseling him; is that correct?

8 A Yes, sir.

9 Q And you basically would do end of month
10 counseling?

11 A I did a few for PFC Manning.

12 Q And you would also do event oriented
13 counseling, is that correct?

14 A If needed to, absolutely.

15 Q Have you ever heard of the expression if
16 it's not in accounts and statement it didn't happen?

17 A Absolutely.

18 Q What does that mean to you?

19 A That means that if something is serious
20 enough to warrant a counseling statement then it was
21 your duty to write it down. Otherwise if it came time

1 to prove that something happened and you didn't have a
2 record of it, (INAUDIBLE) and whoever I'm counseling
3 signature, well, it's tough to prove.

4 Q And the didn't happen part would be it must
5 not have happened or you would have counseled, that's
6 the proof?

7 A It would be very hard to prove.

8 Q With regards to Manning's duty performance
9 you rated him basically as an average analyst at the
10 time?

11 A Yes, sir.

12 Q You would agree with me that he was a young
13 analyst?

14 A Junior analyst as we call them.

15 Q Fresh out of AIT?

16 A Yes, sir.

17 Q And a junior analyst obviously doesn't have
18 enough experience to be considered kind of a go to
19 analyst in the shop I would imagine?

20 A Correct, sir.

21 Q That would fall more on people like staff

1 sergeant (INAUDIBLE), would you agree?

2 A Roger, usually the senior intelligence
3 sergeants or experienced NCOs, absolutely.

4 Q Now, with PFC Manning, there were times
5 that you actually escorted him to mental health; is
6 that correct?

7 A Yes, sir, once.

8 Q And there was times where he was having
9 problems and you escorted him to behavioral
10 (INAUDIBLE)?

11 A Yes, sir.

12 Q Did you ever speak to PFC Manning about any
13 issues that he was dealing with?

14 THE PROSECUTION: Your Honor, objection.
15 Hearsay.

16 THE COURT: The answer to that won't be,
17 but get ready to object next time. Go ahead.

18 BY MR. COOMBS:

19 Q So did you ever speak to him about any
20 issues that he was dealing with.

21 A Not that I can recall specifically, no,

1 sir.

2 Q At any time did PFC Manning say anything
3 though that was antiAmerican?

4 THE PROSECUTION: Your Honor, hearsay.

5 MR. COOMBS: All it requires is yes or no,
6 Judge. I'm not asking for the actual statement and I'm
7 not going to offer for (INAUDIBLE).

8 THE COURT: Are you doing under what rule?
9

10 MR. COOMBS: In this instance I would be
11 offering it on the affect of the listener as far as the
12 question asking if he's ever said anything antiAmerican
13 to him.

14 The rule would be relevance and that I
15 think would lay probably once Showman -- the very next
16 witness. If I have to, we could temporarily excuse
17 this witness after I'm done and call him back but I
18 think in this instance it may be better just to go
19 ahead and elicit information from the witness now
20 unless the government doesn't intend to ask these
21 questions.

1 THE COURT: Counsel, I'm going to allow it.
2 Go ahead.

3 BY MR. COOMBS:

4 Q Did PFC Manning ever say anything
5 antiAmerican to you.

6 A No, sir.

7 Q Did he ever, did you ever hear anyone
8 report to you that PFC Manning made any antiAmerican
9 comments?

10 A No, sir. Not that I can recall at all.

11 Q Was Specialist Showman one of the soldiers
12 that worked underneath you?

13 A Yes, sir.

14 Q Would Specialist Showman be somebody that
15 would report information to you?

16 A Absolutely.

17 Q Now, I want to ask you about SIPRNET access
18 (INAUDIBLE), okay?

19 A Yes, sir.

20 Q How large was the room that analysts worked
21 in when they would work on SIPRNET?

1 A Which building, sir? We have two different
2 buildings.

3 Q Let's talk about the first one.

4 A It was very small, sir. I don't know the
5 diameter or the dimensions of it but it was pretty
6 small.

7 Q Some described it as a closet. Would that
8 accurate?

9 A I thought it was a closet until you noticed
10 the giant iron door and realize it's not a closet.

11 Q How many SIPR computers did analysts have
12 the ability to work on?

13 A I think two at most, sir. I think we had
14 more than that but we only connected two at a time.

15 Q Before you left, did the SIPRNET access
16 change to a different location?

17 A Yes, sir.

18 Q And where did it change to?

19 A We just moved down the road to a different
20 headquarters I believe.

21 Q And did you have more SIPRNET drops to work

1 off of?

2 A Yes.

3 Q Did you have more SIPRNET computers to work
4 off?

5 A Eventually, yes. When we got the D6
6 laptops, they were designed to be connected to the
7 SIPR.

8 Q And in spite of having, I guess, the
9 additional drops and computers to work off of, analysts
10 really didn't work on SIPRNET all that often?

11 A Correct, sir.

12 Q And, in fact, mostly maybe once a week or
13 twice a week at the most?

14 A Yes, sir.

15 Q For a very short period of time?

16 A Roger. I would say, I mean, a couple
17 hours. However long it took for the analysts to get
18 the information they needed, sure.

19 Q So unlike a deployed environment where an
20 analyst would be working on SIPRNET basically the
21 entire time --

1 A 12 hours, yes --

2 Q -- and in a Garrison environment, they were
3 not working on SIPRNET the entire time?

4 A Definitely not anywhere near 12 hours, sir.

5 Q Okay. You were asked some questions about
6 intelligence work products that PFC Manning created,
7 correct?

8 A Yes, sir.

9 Q I want to ask you if you are familiar with
10 some intelligence terms, terms that might be in a work
11 product. All right?

12 A Yes, sir.

13 Q Have you ever heard of the term
14 intelligence gap?

15 A Yes, sir.

16 Q What does intelligence gap mean to you?

17 A Intelligence gap is something that is part
18 of the commander PIR, tells you (INAUDIBLE), if we
19 don't know, if we identify formerly as intelligence gap
20 and try to identify assets that can collect against it
21 in order for it to become intelligence gap.

1 Q If it's listed as an intelligence gap would
2 I be correct in saying that is something you do not
3 have actual knowledge of?

4 A Or very little knowledge.

5 Q In fact, intelligence gaps means you need
6 to get information in order to confirm?

7 A Basically that's an (INAUDIBLE), sir.

8 Q If you had actual knowledge of the fact,
9 would you list it as an intelligence gap?

10 A Most likely, no. It goes through a review.
11 If the question had been answered, it might get
12 approved as an intelligence gap.

13 Q Right. You would call it intelligence at
14 that point?

15 A Or information if it wasn't a finished
16 product.

17 Q Likely as well with regards to assumption,
18 are you familiar with the term assumption in
19 intelligence work product?

20 A Sure, absolutely.

21 Q If you had actual knowledge of the fact,

1 would you call it an assumption?

2 A No. No, sir. Not if it was something that
3 we confirmed, no.

4 Q And again, if you had actual knowledge of
5 it, you would call it intelligence or information?

6 A Absolutely, sir.

7 Q Even though you didn't deploy with PFC
8 Manning in 2009, you have been deployed since 2009; is
9 that correct?

10 A Yes, sir.

11 Q And, in fact, you deployed in 2011?

12 A Yes, sir.

13 Q And where did you deploy?

14 A To Afghanistan; Kabul, Afghanistan.

15 Q And what was your MOS when you deployed?

16 A 35 Fox, sir.

17 Q As a 35 Fox did you use SigActs when you
18 were deployed?

19 A Yes, sir.

20 Q And when you were in Afghanistan did anyone
21 put out any information that SigActs that predated

1 January of 2010 shouldn't be used?

2 A No, sir, not that I can recall.

3 Q In fact, did you use SigActs that predated
4 January 2010?

5 A Yes, sir, I did.

6 Q What did you use those for?

7 A Part of my job was to tie SigActs to
8 certain people, people that would want it to work and
9 not -- I'm talking about local Afghans. I'm not
10 talking about anybody else. So part of my job was to
11 screen them. In order to work on a USFOB23 we ran a
12 report or query on their name or ID card number and a
13 report came back 2008, 2009, then we would use it,
14 review it. If it was pertinent, we would provide it to
15 the CI agents whoever were around to be able to handle
16 the interrogation, for example.

17 Q In 2009, 2010 timeframe, even though you
18 were deployed, you were still a 35 Fox, correct?

19 A Yes, sir.

20 Q Did you ever hear the SigActs database not
21 being available to you as a 35 Fox?

1 A Between 2009 and 2010?

2 Q Correct.

3 A No, sir. I also had access to it.

4 Q So it was never where you no longer had
5 access to the database?

6 A Roger.

7 Q And to this date, have you ever been told
8 that you can not use SigActs that predate January 2010?

9 A No, sir.

10 MR. COOMBS: Thank you, sergeant.

11 THE COURT: Redirect?

12 MR. WHYTE: One moment, Your Honor.

13 REDIRECT EXAMINATION BY MR. WHYTE:

14 Q Sir, on cross defense asked you about
15 SigActs that predate a certain time. During your
16 deployment in 2007, where you went to I think you said
17 Iraq?

18 A Yes, sir.

19 Q What significant event happened during that
20 time?

21 A Yes, sir, the most significant event that

1 happened was a dust one, the duty status whereabouts
2 unknown. In 2007 May 12th our unit --

3 THE COURT: Just a moment yes.

4 THE DEFENSE: (INAUDIBLE).

5 MR. WHYTE: Your Honor, the defense argued
6 or brought out information from the witness that the
7 SigActs were of little value if they predated the
8 certain time this completely rebuts that for reason to
9 believe Your Honor, for instance.

10 THE COURT: All right.

11 MR. COOMBS: I didn't believe I did that,
12 but.

13 THE COURT: I'll overrule the objection.
14 Go ahead.

15 MR. COOMBS: That's fine.

16 BY MR. WHYTE:

17 Q Mr. Anica, you said 2007 there was a dust
18 one incident?

19 A Yes, sir. Dust one incident one of our
20 Italians had patrol out secured an IEDs hot spot and
21 they came in attack, basically lost two soldiers that

1 were unaccounted before, became a dust one incident.

2 Q What were you tasked to do in response to
3 this?

4 A We were trying to figure out where they
5 were, who took them. We were tasked to direct assets
6 towards finding the two soldiers that were missing.

7 Q What type of information did you pull?

8 A We tried to pull as much information as we
9 could from the SIPR, from the SIPRNET. We were looking
10 for intelligence information reports, actual course
11 information. We were looking for significant
12 activities such as small arms attacks in that area,
13 IEDs that had been placed in that area because small
14 arms fire and IEDs were both part of the attack.

15 Q How far back did you go for the SigActs?

16 A We went as far back, this happened in 2007,
17 we were looking for reports in 2004, 2005, 2006. Now,
18 the reason why we were looking for 2006, 2005, excuse
19 me, was because the same thing had happened to our, the
20 unit that we took over for, the same thing happened,
21 small patrol was out there and they were ambushed and

1 turns out it was the same folks at night.

2 Q Were those SigActs from four years ago
3 helpful to your mission?

4 A Absolutely. They were able to tie
5 everything together and give us the fire power we
6 needed to put them on our target list.

7 Q You also, just lastly you also talked about
8 intelligence gaps. Do you remember defense asked you a
9 question about that?

10 A Yes, sir.

11 Q For intelligence gap, do you have to -- can
12 you explain again what an intelligence gap is?

13 A Yes, sir. You look at the commander's
14 priority and intelligence requirements and if something
15 that is not answered or that we know is not answered,
16 we put it as an intelligence gap. It's formalized.
17 It's published so everybody can see them. Maybe task
18 assets to try to collect information on it. Whether
19 you confirm or deny it, it's up to whatever information
20 we collect, but it has to be a formalized process.

21 Q So if you know a little bit about something

1 and you don't know everything --

2 A It's still an intelligence gap.

3 MR. COOMBS: Objection. Leading.

4 THE COURT: Overruled on that. Go ahead.

5 BY MR. WHYTE:

6 Q I'm sorry, what was your answer?

7 A If you know a little bit but weren't able
8 to confirm, sure, it can be a intelligence gap,
9 certainly.

10 MR. WHYTE: Thank you, sir.

11 THE COURT: Brief recross?

12 RECROSS EXAMINATION BY MR. COOMBS:

13 Q The SigActs that you use for the dust one
14 issue, that was basically going back using historical
15 data; is that correct?

16 A Essentially, yes, sir. We had to start
17 somewhere.

18 Q SigActs, they capture an event on a
19 particular day and lowest level unit, the unit on the
20 ground that dealt with what happened?

21 A Yes, sir.

1 Q And then that goes into CIDNE; is that
2 correct?

3 A Yes, sir.

4 Q And as an analyst, you use SigActs
5 basically to connect dots?

6 A That is part of the process, yes, sir.

7 Q So for an analyst the SigActs database is
8 basically a big historical document of what happened?

9 A Absolutely.

10 Q And from that historical document you can
11 pull certain facts that might go into intelligence
12 product; is that correct?

13 A Yes, sir.

14 Q And then with that intelligence product you
15 can connect dots that maybe other people who don't have
16 your training wouldn't be able to make?

17 A Correct, sir.

18 Q That's a skill that takes time?

19 A Absolutely.

20 Q And not everyone is good at that?

21 A Not from my experience, sir.

1 Q With regards to the intelligence gap, I
2 just want to make sure I have this crystal clear. If
3 it's in a product that says this is an intelligence gap
4 that means we don't know for certain; is that right?

5 A Yes, sir. Or we need to confirm whether we
6 know it's true or not if it's that important.

7 Q So you don't know it, you need to try to
8 confirm something so you wouldn't have actual knowledge
9 of it?

10 A Absolutely sir, yeah.

11 Q Thank you.

12 THE COURT: Final redirect?

13 MR. WHYTE: No, Your Honor.

14 THE COURT: Temporary excusal?

15 MR. WHYTE: Yes, ma'am. Temporarily.

16 THE COURT: Sergeant, you're temporarily
17 excused. Please don't discuss your testimony or
18 knowledge of the case with anyone other than counsel or
19 the accused while the trial is still going on.

20 MR WHYTE: Based on the projected length of
21 Mr. Showman, may we have a break?

1 THE COURT: Any objection?

2 THE DEFENSE: No objection.

3 THE COURT: Court is in recess until
4 5:00 o'clock.

5 (Brief recess.)

6 THE COURT: Court is called to order. Let
7 the record directly reflect all parties present when
8 the court last recessed are again present in court
9 except --

10 THE PROSECUTION: Captain Morrow is absent.

11 THE COURT: Morrow or Overgaard?

12 THE PROSECUTION: Both. We had Captain
13 Overgaard for the last session.

14 THE COURT: All right. I met in the
15 chambers with the attorneys for about five minutes and
16 we had met earlier to discuss this potential issue as
17 well.

18 The initial plan had been to go forward
19 with the next witness. However the witness is expected
20 to maybe have some lengthy testimony so rather than do
21 that, what the parties have proposed is that we have

1 gone through the trial a little more rapidly than we
2 anticipated so we are going to go through and start
3 tomorrow morning at 0930 like we usually do with the
4 witness that was scheduled to appear today. We are
5 going to go through the remaining witnesses that we
6 have scheduled to testify this week tomorrow. So we
7 are going to be going on a recess after court tomorrow
8 ends whenever that is, and then we're going to be on a
9 recess until Monday.

10 So I want to make sure I put that out so
11 anybody who had travel plans could adjust it accordingly.

12 Does either side have anything further to
13 add to my synopsis of the SC802 session?

14 THE PROSECUTION: No, Your Honor.

15 THE COURT: Do we have any further business
16 we need to address today?

17 THE DEFENSE: No, Your Honor.

18 THE PROSECUTION: No, Your Honor.

19 THE COURT: Court will be in recess until
20 0930 tomorrow.

21 (Adjourned at 5:07 p.m.)

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